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No. 49] NEW DELHI, DECEMBER 8—DECEMBER 14, 2024, SATURDAY/ AGRAHAYANA 17—AGRAHAYANA 23, 1946

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 8 दिसम्बर, 2023

का.आ. 2204.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री. देवेन्द्र पाल सिंह, अधिवक्ता को, सीबीआई विशेष न्यायाधीश न्यायालय राउस एवेन्यू नई दिल्ली और नई दिल्ली में अपील, पुनरीक्षण या किसी अपील या पुनरीक्षण न्यायालय के समक्ष इस मामले से उद्भूत अन्य मामलों में विशेष पुलिस स्थापना (केंद्रीय अन्वेषण ब्यूरो) द्वारा संस्थित सीबीआई मामला आरसी सं. 218 2021 ए 0005/एसी-III (अभिषेक तिवारी मामला) के अभियोजन का संचालन करने के लिए प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए और मामले का निपटान होने तक इनमें से जो भी पहले हो, विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/48/2022-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**(Department of Personnel And Training)**

New Delhi, the 8th Deceember, 2023

S.O. 2204.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Davinder Pal Singh, Advocate, as Special Public Prosecutor for conducting prosecution of CBI case RC No. 218 2021 A0005/AC-III (Abhishek Tiwari Case), instituted by the Delhi Special Police Establishment (Central Bureau of Investigation), in the Court of Special Judge CBI, Rouse Avenue Court, New Delhi, and appeals, revisions or other matters arising out of this case before any appellate or revisional Court at New Delhi for a period of three years from the date of assumption of charge or till disposal of the case, whichever is earlier

[F. No. 225/48/2022-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 8 दिसम्बर, 2023

का.आ. 2205.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पी. प्रसन्ना कुमार, अधिवक्ता को दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) द्वारा संस्थित मामलों, जिन्हें नीचे दी गई सारणी के स्तंभ (2) और स्तंभ (3) में वर्णित किया गया है, का अभियोजन संचालित करने या किसी अपील या पुनरीक्षण न्यायालय, जिसे तत्समय प्रवृत्त विधि द्वारा अपील या पुनरीक्षण न्यायालय के रूप में स्थापित किया गया है, में ऐसे मामलों से उद्भूत होने वाली कोई अपील, पुनरीक्षण या अन्य मामलों को संचालित करने के लिए प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामलों के निपटान की तारीख तक, इनमें से जो भी पहले हो, विशेष लोक अभियोजक नियुक्त करती है।

क्रम सं.	आरसी सं.	न्यायालय मामला सं.	न्यायालय का नाम
(1)	(2)	(3)	(4)
1	आरसी 14(ए)/2019	1055/2019	81वां अपर नगर सिविल और सत्र न्यायाधीश, बंगलोर
2	आरसी 15(ए)/2019	629/2021	सीबीआई मामलों (सीसीएच-4) के लिए 21वां नगर सिविल
3	आरसी 19(ए)/2019	786/2020	और सत्र न्यायाधीश तथा प्रधान विशेष न्यायाधीश, न्यायालय बंगलोर

[फा. सं. 225/32/2022-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 8th Deceember, 2023

S.O. 2205.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri P. Prasanna Kumar, Advocate, as Special Public Prosecutor for conducting prosecution of cases instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) mentioned in column (2) and (3) in the table below and any appeal, revision or other matter arising out of these cases in any appellate or revisional Court established by any law for the time being in force, for a period of three years from the date of assumption of charge or till disposal of the cases, whichever is earlier: -

S. N. (1)	RC No. (2)	Court Case No. (3)	Name of the Court (4)
1	RC 14(A)/2019	1055/2019	81st Additional City Civil and Sessions Judge, Bangalore
2	RC 15(A)/2019	629/2021	XXI City Civil & Session Judge & Principal Special Judge
3.	RC 19(A)/2019	786/2020	for CBI Cases (CCH-4) Court, Bangalore

[F. No. 225/32/2022-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 8 दिसम्बर, 2023

का.आ. 2206.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री दनाईनोबा उमाजीराव दारडे और श्री आशिष त्रिम्बकराव जाधवार, अधिवक्ताओं को दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) द्वारा जिला न्यायाधीश-2, अपर सत्र न्यायाधीश, नांदेड के न्यायालय में संस्थित सीबीआई मामला आरसीबीएस 2200780002 (नांदेड विस्फोट मामला) का अभियोजन और इस मामले से किसी अपील या पुनरीक्षण न्यायालय, जिसे तत्समय प्रवृत्त विधि द्वारा अपील या पुनरीक्षण न्यायालय के रूप में स्थापित किया गया है, में उद्भूत होने वाली कोई अपील, पुनरीक्षण या अन्य मामलों को संचालित करने के लिए प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामलों के निपटान की तारीख तक, इनमें से जो भी पहले हो, विशेष लोक अभियोजक नियुक्त करती है।

[फा. सं. 225/07/2023-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 8th December, 2023

S.O. 2206.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Dnyanoba Umajirao Darade and Shri Aashish Trimbakrao Jadhavar Rao, Advocates as Special Public Prosecutors for conducting the prosecution of CBI Case RCBS2200780002 (Nanded Blast Case) instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) in Court of District Judge-2 Additional Sessions Judge, Nanded and any appeal, revision or other matters arising out of this case in any appellate or revisional court established court by any law for the time being in force, for a period of three years from the date of assumption of charge or till disposal of cases, whichever is earlier.

[F. No. 225/07/2023-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 8 दिसम्बर, 2024

का.आ. 2207.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री निखिल गोयल, अधिवक्ता को 63 मून्स टेक्नोलॉजिस लिमिटेड बनाम भारत संघ और अन्य शीर्ष वाली 2023 की रिट याचिका सं. 158 में बम्बई उच्च न्यायालय के समक्ष दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) की ओर से उपस्थित होने के लिए 28 अगस्त, 2023 से तीन वर्ष की अवधि के लिए या मामले के निपटान तक, इनमें से जो भी पूर्वतर हो, विशेष लोक अभियोजक नियुक्त करती है।

[फा.सं. 225/06/2023-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 8th December, 2023

S.O. 2207.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Nikhil Goel, Advocate, as Special Public Prosecutor appearing on behalf of Delhi Special Police Establishment (Central Bureau of Investigation) in Writ Petition Number 158 of 2023 titled 63 Moons Technologies Limited vs. Union of India and Ors. before the High Court of Bombay, for a period of three years with effect from the 28th August, 2023 or till disposal of case, whichever is earlier.

[F. No. 225/06/2023-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 19 दिसम्बर, 2023

का.आ. 2208.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री जयाबालन, अधिवक्ता को, दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) द्वारा संस्थित मामलों, जिन्हें नीचे दी गई सारणी के स्तंभ (2) और स्तंभ (3) में वर्णित किया गया है, मदुरई के विचारण न्यायालय में और किसी अपील, पुनरीक्षण या विधि द्वारा स्थापित किसी अपील या पुनरीक्षण न्यायालय में इन मामलों से उद्भूत होने वाले अन्य मामलों के अभियोजन का संचालन करने के लिए, प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामलों के निपटान की तारीख तक, इनमें से जो भी पहले हो, विशेष लोक अभियोजक नियुक्त करती है।

क्रम सं.	आरसी सं.	न्यायालय मामला सं.	न्यायालय का नाम
(1)	(2)	(3)	(4)
1	आरसी 10(एस)/2010	सीसी 1/2012	विशेष न्यायाधीश न्यायालय, मदुरई
2	आरसी एमए12012ए 0003	सीसी 13/13	विशेष न्यायाधीश न्यायालय, मदुरई
3	आरसी 12(एस)/2014	सीसी 20/16	महिला न्यायालय, मदुरई
4	आरसी एमए1212ए0014	सीसी 08/14	विशेष न्यायाधीश न्यायालय, मदुरई
5	आरसी एमए12013ए0017	सीसी 07/14	विशेष न्यायाधीश न्यायालय, मदुरई
6	आरसी एमए12002ए0052	सीसी 02/15	विशेष न्यायाधीश न्यायालय, मदुरई
7	आरसी एमए12013ए0033	सीसी 01/15	मुख्य न्यायिक मैजिस्ट्रेट, मदुरई
8	आरसी एमए12011ए0029	सीसी 01/15	विशेष न्यायाधीश न्यायालय, मदुरई
9	आरसी 05(एस)/13	सीसी 02/15	मुख्य न्यायिक मैजिस्ट्रेट, मदुरई
10	आरसी एमए12015ए0010	सीसी 03/16	विशेष न्यायाधीश न्यायालय, मदुरई
11	आरसी एमए12015ए0015	सीसी 03/16	विशेष न्यायाधीश न्यायालय, मदुरई
12	आरसी एमए12016ए0012	सीसी 02/17	विशेष न्यायाधीश न्यायालय, मदुरई
13	आरसी एमए12015ए0007	सीसी 11/17	विशेष न्यायाधीश न्यायालय, मदुरई
14	आरसी एमए12015ए0015	सीसी 01/18	विशेष न्यायाधीश न्यायालय, मदुरई
15	आरसी एमए12015ए0015	एससी 52/16	सत्र न्यायालय, मदुरई
16	आरसी 02(एस)/12	(1) पीआरसी 01/17	मुख्य न्यायिक मैजिस्ट्रेट, मदुरई
		(2) पीआरसी 336/22	
		(3) जेसी 43/22	किशोर न्याय बोर्ड, मदुरई
17	आरसी 08(एस)/14	एससी 91/2016	I एडीजे, मदुरई
18	आरसी 02/(एस)/16	एससी 531/2019	V एडीजे, मदुरई

19	आरसी 06(एस)/18	पीआरसी 82/2020	मुख्य न्यायिक मैजिस्ट्रेट, मदुरई
20	आरसी 08(एस)/18	आरसीएस 02/2022	मुख्य न्यायिक मैजिस्ट्रेट, मदुरई

[फा.सं. 225/34/2022-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 19th Deceember, 2023

S.O. 2208.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri K. Jayabalan, Advocate as Special Public Prosecutor for conducting prosecution of the cases mentioned in column (2) and (3) of the table below, instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) in the Trial Courts at Madurai and any appeal, revision or other matters arising out of these cases in any appellate or revisional Court established by any law for the time being force, for a period of three years from the date of assumption of charge or till disposal of the cases, whichever is earlier: -

S. No. (1)	RC No. (2)	Court Cases No. (3)	Name of Court (4)
1	RC 10(S)/2010	CC 1/2012	Special Judge Court, Madurai
2	RC MA12012A0003	CC 13/13	Special Judge Court, Madurai
3	RC 12(S)/2014	CC 20/16	Mahila Court, Madurai
4	RC MA12012A0014	CC 08/14	Special Judge Court, Madurai
5	RC MA12013A0017	CC 07/14	Special Judge Court, Madurai
6	RC MA12002A0052	CC 02/15	Special Judge Court, Madurai
7	RC MA12013A0033	CC 01/15	Chief Judicial Magistrate, Madurai
8	RC MA12011A0029	CC 01/15	Special Judge Court, Madurai
9	RC 05(S)/13	CC 02/15	Chief Judicial Magistrate, Madurai
10	RC MA12015A0010	CC 01/16	Special Judge Court, Madurai
11	RC MA12015A0015	CC 03/16	Special Judge Court, Madurai
12	RC MA12016A0012	CC 02/17	Special Judge Court, Madurai
13	RC MA12015A0007	CC 11/17	Special Judge Court, Madurai
14	RC MA12015A0015	CC 01/18	Special Judge Court, Madurai
15	RC MA12014A0044	SC 52/16	Sessions Court, Madurai
16	RC 02(S)/12	(1) PRC 01/17	Chief Judicial Magistrate, Madurai
		(2) PRC 336/22	
		(3) JC 43/22	Juvenile Justice Board, Madurai
17	RC 08(S)/14	SC 91/2016	I ADJ, Madurai
18	RC 02(S)/16	SC 531/2019	V ADJ, Madurai
19	RC 06(S)/18	PRC 82/2020	Chief Judicial Magistrate, Madurai
20	RC 08(S)/18	RCS 02/2022	Chief Judicial Magistrate, Madurai

[F. No. 225/34/2022-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 1 फरवरी, 2024

का.आ. 2209.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री श्रीनिवास कपातिया और श्री टी. श्रुजन कुमार रेड्डी, अधिवक्ता को, दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) द्वारा तेलंगाना उच्च न्यायालय, हैदराबाद के समक्ष संस्थित किए गए मामलों का, तत्समय प्रवृत्त विधि द्वारा स्थापित किसी अपील या पुनरीक्षण न्यायालय में इन मामलों से उद्भूत किसी अपील, पुनरीक्षण या अन्य विषयों में अभियोजन का संचालन करने के लिए, उनकी नियुक्ति से तीन वर्ष की अवधि के लिए या अगला आदेश होने तक, इनमें से जो भी पूर्वतर हो, विशेष लोक अभियोजक नियुक्त करती है।

[फा. सं. 225/04/2023-एवीडी- II]

कुंदन नाथ, अवर सचिव

New Delhi, the 1st February, 2024

S.O. 2209.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Srinivas Kapatia and Shri T. Srujan Kumar Reddy, Advocates as Special Public Prosecutors for conducting the prosecution of the cases instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) before the Hon'ble High Court of Telangana, Hyderabad and any appeal, revision or other matters arising out of these cases in any appellate or revisional Court established by law for the time being in force, for a period of three years from the date of their appointment or until further orders, whichever is earlier.

[F. No. 225/04/2023-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 7 फरवरी, 2024

का.आ. 2210.—दंड प्रक्रिया संहिता 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री अरविंद कुमार, अधिवक्ता को दिल्ली विशेष पुलिस स्थापना (सीबीआई) द्वारा संस्थित सीबीआई मामला आरसी4(एस)/2001/एससीबी-I एससी-III/नई दिल्ली, जो दिल्ली, जो अपर जिला न्यायाधीश -XVIII, पटना के न्यायालय में लंबित है, का अभियोजन का संचालन करने हेतु तथा विधि द्वारा स्थापित किसी अपीलीय अथवा पुनरीक्षित न्यायालय में इन मामलों से उत्पन्न अपील, पुनरीक्षण और अथवा अन्य मामलों का संचालन करने के लिए उनके प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामलों का निपटान होने तक, जो भी पहले हो, विशेष लोक अभियोजक नियुक्त करती है।

[फा. सं. 225/15/2023-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 7th February, 2024

S.O. 2210.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Arvind Kumar, Advocate as Special Public Prosecutor for conducting the prosecution of CBI case RC 4(S)/2001/SCB-I/SC-III/New Delhi instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) pending before the Court of Additional Judge-XVIII, Patna and any appeal, revision or other matter arising out of this case in any Appellate or Revisional Court established by law, for a period of three years from the date of assumption of charge or till disposal of the case, whichever is earlier.

[F. No.225/15/2023-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 20 फरवरी, 2024

का.आ. 2211.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री ब्रजेश शुक्ला, अधिवक्ता को दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) द्वारा संस्थित मामलों, जिन्हें नीचे दी गई सारणी के स्तंभ (2) में वर्णित किया गया है, के उक्त सारणी के स्तंभ (5) में वर्णित न्यायालयों में अभियोजन संचालित करने या किसी अपील या पुनरीक्षण न्यायालय, जिसे तत्समय प्रवृत्त विधि द्वारा अपील या पुनरीक्षण न्यायालय के रूप में स्थापित किया गया है, में ऐसे मामलों से उद्भूत होने वाली कोई अपील, पुनरीक्षण या अन्य मामलों को संचालित करने के लिए प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामलों के निपटान की तारीख तक, इनमें से जो भी पूर्वतर हो, विशेष लोक अभियोजक नियुक्त करती है:

क्र. सं.	आरसी. सं.	शाखा का नाम	न्यायालय मामला सं.	न्यायालय का नाम
(1)	(2)	(3)	(4)	(5)
1	आरसी 1202008ए0001	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	49/2011	विशेष न्यायाधीश, सीबीआई, न्यायालय सं. 01 गाजियाबाद
2	आरसी 1202011ए0004	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	21/2013	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
3	आरसी 1202019ए0004	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	05/2020	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
4	आरसी 1202010ए0010	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	06/2012	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
5	आरसी 1202010ए0010	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	07/2012	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
6	आरसी 1202010ए0010	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	09/2012	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
7	आरसी 1202010ए0010	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	10/2012	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
8	आरसी 1202010ए0010	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	12/2012	विशेष न्यायाधीश (भ्रष्टाचार निवारण अधिनियम), सीबीआई, गाजियाबाद
9	आरसी 1202012ए0005	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	03/2015	विशेष न्यायाधीश, सीबीआई, न्यायालय सं. 01 गाजियाबाद
10	आरसी 1202012ए0011	सीबीआई, भ्रष्टाचार निवारण शाखा, गाजियाबाद	02/2015	विशेष न्यायाधीश, सीबीआई, न्यायालय सं. 01 गाजियाबाद

[फा. सं. 225/34/2023-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 20th February, 2024

S.O. 2211.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Brajesh Shukla, Advocate as Special Public Prosecutor for conducting the prosecution of cases instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) mentioned in column (2) the table below, in the courts mentioned in column (5) of the said table and any appeal, revision or other matters arising out of these cases in any appellate or revisional Court established by law, for a period of three years from the date of assumption of charge or till disposal of the cases, whichever is earlier, namely:

S.N.	RC No.	Name of the Branch	Court Case No.	Name of the Court
(1)	(2)	(3)	(4)	(5)
1	RC 1202008A0001	CBI, Anti-Corruption Branch, Ghaziabad	49/2011	Special Judge, CBI, Court No. 01, Ghaziabad
2	RC 1202011A0004	CBI, Anti-Corruption Branch, Ghaziabad	21/2013	Special Judge (PC Act), CBI, Ghaziabad
3	RC 1202019A0004	CBI, Anti-Corruption Branch, Ghaziabad	05/2020	Special Judge (PC Act), CBI, Ghaziabad
4	RC 1202010A0010	CBI, Anti-Corruption Branch, Ghaziabad	06/2012	Special Judge (PC Act), CBI, Ghaziabad
5	RC 1202010A0010	CBI, Anti-Corruption Branch, Ghaziabad	07/2012	Special Judge (PC Act), CBI, Ghaziabad
6	RC 1202010A0010	CBI, Anti-Corruption Branch, Ghaziabad	09/2012	Special Judge (PC Act), CBI, Ghaziabad
7	RC 1202010A0010	CBI, Anti-Corruption Branch, Ghaziabad	10/2012	Special Judge (PC Act), CBI, Ghaziabad
8	RC 1202010A0010	CBI, Anti-Corruption Branch, Ghaziabad	12/2012	Special Judge (PC Act), CBI, Ghaziabad
9	RC 1202012A0005	CBI, Anti-Corruption Branch, Ghaziabad	03/2015	Special Judge, CBI, Court No. 01, Ghaziabad
10	RC 1202012A0011	CBI, Anti-Corruption Branch, Ghaziabad	02/2015	Special Judge, CBI, Court No. 01, Ghaziabad

[F. No. 225/34/2023-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 10 अप्रैल, 2024

का.आ. 2212.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, माननीय सेशन न्यायाधीश के न्यायालय, यवतमाल, महाराष्ट्र के समक्ष लंबित दिल्ली विशेष पुलिस स्थापन (केन्द्रीय अन्वेषण ब्यूरो) द्वारा संस्थित सीबीआई मामले आरसी 1(एस)/2018/सीबीआई/एससीबी मुंबई और आरसी 2(एस)/2018-सीबीआई/एससीबी/मुंबई (सेशन मामला सं. 173/2019) तथा विधि द्वारा स्थापित किसी अपील या पुनरीक्षण न्यायालय में इन मामलों से उद्भूत किसी अपील, पुनरीक्षण और अन्य विषय के अभियोजन का संचालन करने के लिए, श्री विजय लक्ष्मणराव कोल्हे, अधिवक्ता को विशेष लोक अभियोजक के रूप में पदभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामलों के निपटारे तक, जो भी पूर्वतर हो, नियुक्त करती है।

[फा. सं. 225/04/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 10th April, 2024

S.O. 2212.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Vijay Laxmanrao Kolhe, Advocate as Special Public Prosecutor for conducting prosecution of CBI cases RC 1(S)/2018/CBI/SCB Mumbai and RC 2(S)/2018-CBI/SCB/Mumbai (Sessions Case No. 173/2019) instituted by Delhi Special Police Establishment (Central Bureau of Investigation) pending before the Court of Hon'ble Sessions Judge, Yavatmal, Maharashtra and any appeal, revision and other matter arising out of these cases in any appellate or revisional court established by law, for a period of three years from the date of assumption of charge or till disposal of the cases, whichever is earlier.

[F. No. 225/04/2024—AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 12 अप्रैल, 2024

का.आ. 2213.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री राजेन्द्र शिवाजी महामने अधिवक्ता को दिल्ली विशेष पुलिस स्थापना (केंद्रीय अन्वेषण ब्यूरो) द्वारा संस्थापित मामलों, जैसा कि सारणी में दर्शाया गया है, में अभियोजन का संचालन करने और विधि द्वारा स्थापित किसी अपीलीय अथवा पुनरीक्षण न्यायालय में इन मामलों से उत्पन्न अपील, पुनरीक्षण अथवा अन्य मामलों में अभियोजन का संचालन करने के लिए उनके प्रभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा मामलों के निपटान होने तक, जो भी पहले हो, विशेष लोक अभियोजक नियुक्त करती है

सारणी

क्र.सं.	आरसी सं.	न्यायालय मामला सं.	न्यायालय मामला सं.
(1)	(2)	(3)	(4)
1	आरसी.1/ई/2001/सीबीआई/ईओबी/मुम्बई	एससी सं. 51/2002	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
2	आरसी.10/ई/2000/सीबीआई/ईओबी/मुम्बई	एससी सं. 70/2003 और एससी सं. 2/2006	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
3	आरसी.11/ई/2000/सीबीआई/ईओबी/मुम्बई	एससी सं. 71/2003 और एससी सं. 3/2006	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
4	आरसी.8/ई/2003/सीबीआई/ईओबी/मुम्बई	एससी सं. 3/2004 और एससी सं. 78/2015	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
5	आरसी.11/ई/2003/सीबीआई/ईओबी/मुम्बई	एससी सं. 53/2006	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
6	आरसी.6/ई/2000/सीबीआई/ईओबी/मुम्बई	एससी सं. 13/2008 और एससी सं. 14/2008	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
7	आरसी.8/ई/2000/सीबीआई/ईओबी/मुम्बई	एससी सं. 15/2008 और एससी सं. 16/2008	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
8	आरसी.8/ई/2009/सीबीआई/ईओबी/मुम्बई	एससी सं. 138/2009	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
9	आरसी.10/ई/2005/सीबीआई/ईओबी/मुम्बई	एससी सं. 91/2011	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
10	आरसी.6/ई/2012/सीबीआई/ईओबी/मुम्बई	एससी सं. 100/2012	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
11	आरसी.8/ई/2011/सीबीआई/ईओबी/मुम्बई	एससी सं. 103/2012	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
12	आरसी.5/ई/2012/सीबीआई/ईओबी/मुम्बई	एससी सं. 117/2013	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
13	आरसी.4/ई/2012/सीबीआई/ईओबी/मुम्बई	एससी सं. 118/2013	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई

			मुम्बई
14	आरसी.17/ई/2012/सीबीआई/ईओबी/मुम्बई	एससी सं. 112/2014	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
15	आरसी.2/ई/2017/सीबीआई/ईओबी/मुम्बई	एससी सं. 12/2019	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
16	आरसी.01/ई/2020/सीबीआई/ईओबी/मुम्बई	2021 का 1637	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
17	आरसी.05/ई/2019/सीबीआई/ईओबी/मुम्बई	2021 का 7	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
18	आरसी.06/ई/2019/सीबीआई/ईओबी/मुम्बई	2021 का 8	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
19	आरसी.05/ई/2020/सीबीआई/ईओबी/मुम्बई	1266/2021	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई
20	आरसी.04/ई/2017/सीबीआई/ईओबी/मुम्बई	519/2022	सी.आर. सं. 47, विशेष न्यायाधीश, मुम्बई

[फा. सं. 225/02/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 12th April, 2024

S.O. 2213.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Rajendra Shivaji Mhamane, Advocate as Special Public Prosecutor for conducting prosecution of cases instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) as mentioned in the table below and appeal, revision or other matter arising out of these cases in any appellate or revisional Court established by law, for a period of three years from the date of assumption of charge or till disposal of the cases, whichever is earlier.

TABLE

Sr. No.	RC No.	Court Case No.	Name of the Court
(1)	(2)	(3)	(4)
1	RC.1/E/2001/CBI/EOB/Mumbai	SC No. 51/2002	C.R. No. 47, Special Judge, Mumbai
2	RC.10/E/2000/CBI/EOB/Mumbai	SC No. 70/2003 & SC No.02/2006	C.R. No. 47, Special Judge, Mumbai
3	RC.11/E/2000/CBI/EOB/Mumbai	SC No. 71/2003 & SC No. 03/2006	C.R. No. 47, Special Judge, Mumbai
4	RC.8/E/2003/CBI/EOB/Mumbai	SC No. 3/2004 & SC No. 78/2015	C.R. No. 47, Special Judge, Mumbai
5	RC.11/E/2003/CBI/EOB/Mumbai	SC No. 53/2006	C.R. No. 47, Special Judge, Mumbai
6	RC.6/E/2000/CBI/EOB/Mumbai	SC No. 13/2008 & SC No. 14/2008	C.R. No. 47, Special Judge, Mumbai
7	RC.8/E/2000/CBI/EOB/Mumbai	SC No. 15/2008 & SC No. 16/2008	C.R. No. 47, Special Judge, Mumbai
8	RC.8/E/2009/CBI/EOB/Mumbai	SC No. 138/2009	C.R. No. 47, Special Judge, Mumbai
9	RC.10/E/2005/CBI/EOB/Mumbai	SC No. 91/2011	C.R. No. 47, Special Judge, Mumbai

10	RC.6/E/2012/CBI/EOB/Mumbai	SC No. 100/2012	C.R. No. 47, Special Judge, Mumbai
11	RC.8/E/2011/CBI/EOB/Mumbai	SC No. 103/2012	C.R. No. 47, Special Judge, Mumbai
12	RC.5/E/2012/CBI/EOB/Mumbai	SC No. 117/2013	C.R. No. 47, Special Judge, Mumbai
13	RC.4/E/2012/CBI/EOB/Mumbai	SC No. 118/2013	C.R. No. 47, Special Judge, Mumbai
14	RC.17/E/2012/CBI/EOB/Mumbai	SC No. 112/2014	C.R. No. 47, Special Judge, Mumbai
15	RC.2/E/2017/CBI/EOB/Mumbai	SC No. 12/2019	C.R. No. 47, Special Judge, Mumbai
16	RC.01/E/2020/CBI/EOB/Mumbai	1637 of 2021	C.R. No. 47, Special Judge, Mumbai
17	RC.05/E/2019/CBI/EOB/Mumbai	7 of 2021	C.R. No. 47, Special Judge, Mumbai
18	RC.06/E/2019/CBI/EOB/Mumbai	8 of 2021	C.R. No. 47, Special Judge, Mumbai
19	RC.05/E/2020/CBI/EOB/Mumbai	1266/2021	C.R. No. 47, Special Judge, Mumbai
20	RC.4/E/2017/CBI/EOB/Mumbai	519/2022	C.R. No. 47, Special Judge, Mumbai

[F. No. 225/02/2024-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 13 मई, 2024

का.आ. 2214.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री अजय कुमार गुप्ता, अधिवक्ता को उक्त सारणी के स्तंभ (4) में उल्लिखित न्यायालयों में, नीचे दी गई सारणी के स्तंभ (2) और (3) में उल्लिखित दिल्ली विशेष पुलिस स्थापन (केंद्रीय अन्वेषण ब्यूरो) द्वारा स्थापित मामलों के अभियोजन और विधि द्वारा स्थापित किसी अपीलीय अथवा पुनरीक्षण न्यायालय में इन मामलों से उत्पन्न अपील, पुनरीक्षण या अन्य मामलों का संचालन करने के लिए विशेष लोक अभियोजक के रूप में उनके पदभार ग्रहण करने की तारीख से मामलों के निपटान होने तक या अगले आदेश तक, जो भी पहले हो, विशेष लोक अभियोजक नियुक्त करती है, अर्थात्:-

सारणी

क्र.सं.	आरसी सं.	न्यायालय मामला सं.	न्यायालय का नाम
(1)	(2)	(3)	(4)
1	आरसी 219 2017 ई0020 मैसर्स आदित्य मीडिया नेटवर्क प्रा. लि.	38/2020	विशेष न्यायाधीश, आरएडीसी
2	आरसी 219 2017 ई0021 मैसर्स बालाजी टेलिकॉम (विकास गोयल)	16/2020	विशेष न्यायाधीश, आरएडीसी, सीआर-611
3	आरसी 219 2017 ई0022 मैसर्स डी. जी. फुटवेयर प्रा. लि. और अन्य	17/2020	विशेष न्यायाधीश, आरएडीसी, सीआर-611
4	आरसी 219 2017 ई0023 मैसर्स सॉफ्टमैक्स ट्रेडिंग प्रा. लि. और अन्य	6/12/2019, 18/2020	विशेष न्यायाधीश, आरएडीसी, सीआर-611
5	आरसी 219 2017 ई0026 (मैसर्स सैनवली इम्पेक्स और अन्य)	428/2019	विशेष न्यायाधीश, आरएडीसी, सीआर-611
6	आरसी 219 2017 ई0024 (मैसर्स श्री हरि ओवरसीज)	15/2020	विशेष न्यायाधीश, आरएडीसी, सीआर-611
7	आरसी 219 2017 ई0027 (मैसर्स सिरडीवाले साई एंक्विजम प्रा. लि.)	17/2020	विशेष न्यायाधीश, आरएडीसी, सीआर-611
8	आरसी 219 2017 ई0025 मैसर्स मिरोज ट्रेडिंग प्रा. लि.	39/2020	विशेष न्यायाधीश, आरएडीसी, सीआर-611

[फा. सं. 225/14/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 13th May, 2024

S.O. 2214.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Ajay Kumar Gupta, Advocate as Special Public Prosecutor for conducting prosecution of cases instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) mentioned in column (2) and (3) of the table below and, in the Court mentioned in column (4) of the said table and any appeal, revision or other matter arising out of said cases in any appellate or revisional Court established by law, from the date of assumption of charge, till disposal of the cases, or till further order, whichever is earlier.

TABLE

Sl. No.	RC Nos.	CC Nos.	Name of the Courts
(1)	(2)	(3)	(4)
1	RC 219 2017 E0020 M/s Aditya Media Network Pvt. Ltd.	38/2020	Special Judge, RADC
2	RC 219 2017 E0021 M/s Balaji Telecom (Vikas Goel)	16/2020	Special Judge, RADC, CR-611
3	RC 219 2017 E0022 M/s D. G. Footwear Pvt. Ltd. & Ors.	17/2020	Special Judge, RADC, CR-611
4	RC 219 2017 E0023 M/s Softmax Trading Pvt. Ltd. & others	6/12/2019, 18/2020	Special Judge, RADC, CR-611
5	RC 219 2017 E0026 (M/s Sanwali Impex & ors)	428/2019	Special Judge, RADC, CR-611
6	RC 219 2017 E0024 (M/s Shree Hari Overseas)	15/2020	Special Judge, RADC, CR-611
7	RC 219 2017 E0027 (M/s Shirdiwale Sai Exim Pvt. Ltd.)	17/2020	Special Judge, RADC, CR-611
8	RC 219 2017 E0025 M/s Meroz Trading Pvt. Ltd.	39/2020	Special Judge, RADC, CR-611

[F. No. 225/14/2024-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 12 जून, 2024

का.आ. 2215.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री देवेन्द्र पाल सिंह, अधिवक्ता को माननीय मुंबई उच्च न्यायालय और भारत के माननीय उच्चतम न्यायालय के समक्ष दिल्ली विशेष पुलिस स्थापन (केन्द्रीय अन्वेषण ब्यूरो) द्वारा संस्थित सीबीआई मामला संख्या आरसी 10/ई/2022/सीबीआई/ईओबी/मुंबई और आरसी 11/ई/2022/सीबीआई/ईओबी/मुंबई से उद्भूत मामलों का अभियोजन अपील, और अन्य मामलों का संचालन करने के लिए उनके द्वारा कार्यभार ग्रहण करने की तारीख से तीन वर्ष से अनधिक की अवधि के लिए अथवा मामलों के निपटान होने तक, जो भी पहले हो, विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/20/2023-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 12th June, 2024

S.O. 2215.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Davinder Pal Singh, Advocate, as Special Public Prosecutor for conducting the prosecution, appeal or other matters arising out of CBI Cases Nos. RC 10/E/2022/CBI/EOB/Mumbai and RC 11/E/2022/CBI/EOB/Mumbai, instituted by the Delhi Special Police Establishment (Central Bureau of Investigation), before the Hon'ble High Court of Bombay, and the Hon'ble Supreme Court of India, for a period not exceeding three years from the date of assumption of charge or till disposal of the cases, whichever is earlier.

[F. No. 225/20/2023-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 22 अक्टूबर, 2024

का.आ. 2216.—केंद्र सरकार एतद् द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (वर्ष 1946 की अधिनियम संख्या 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधिसूचना संख्या वीआईजी-63/2024/444, दिनांक 15.03.2024, सतर्कता विभाग: सिविल सचिवालय, ईटानगर, अरुणाचल प्रदेश के माध्यम से जारी राज्य सरकार की सम्मति से, लेखा कार्यालय 44 बीआरटीएफ अलॉग, अरुणाचल प्रदेश में 66 लाख रुपये की राशि के अभिकथित गबन जिसके संबंध में पूर्व में आलो थाना में भारतीय दंड संहिता की धारा 409 और 34 के अंतर्गत दिनांक-10.07.2023 को दर्ज मुकदमा संख्या 0031 और ऐसे अपराध(ओं) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न होने वाले किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त अरुणाचल प्रदेश राज्य में करती है।

[फा. सं. 228/89/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 22nd October, 2024

S.O. 2216.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Arunachal Pradesh, issued vide Notification No. VIG-63/2024/444, Dated 15.03.2024, Department of Vigilance : Civil Secretariat, Itanagar, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment in the whole State of Arunachal Pradesh for carrying out investigation into alleged embezzlement of Rs. 66 lakhs in Account Office 44 BRTF, Along, Arunachal Pradesh which was earlier registered as Aalo PS Case No.0031 Dated-10.07.2023 under section 409 and 34 of IPC and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/89/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 23 अक्टूबर, 2024

का.आ. 2217.—केन्द्र सरकार, एतद् द्वारा, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (वर्ष 1946 की अधिनियम सं. 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तमिलनाडु सरकार द्वारा अधिसूचना सं. जी.ओ.(2डी)सं. 294, दिनांक 25.09.2024, गृह (नागरिकता) विभाग के माध्यम से जारी तमिलनाडु राज्य सरकार की सम्मति से, श्री के. पुगालेंदी, तत्कालीन वरिष्ठ उप निदेशक, यातायात (पी&आर प्रकोष्ठ) विभाग, चेन्नई पोर्ट ट्रस्ट, भारत सरकार और गैर-सरकारी व्यक्तियों श्री रघुल चक्रवर्ती, श्री लुडविन राजीव, श्री मदन कुमार, श्री मायधीन राजा और श्री राजालिंगम, आर. एस. एंटरप्राइजेज और चेन्नई पोर्ट ट्रस्ट के अज्ञात लोक सेवकों के विरुद्ध, क्योंकि उन्होंने प्रथम दृष्टया भारतीय दंड संहिता की धारा 120-बी सपठित धाराएँ 420, 468 और 471 तथा भ्रष्टाचार निवारण अधिनियम, 1988 (वर्ष 2018 में यथासंशोधित) की धारा 7, 8 और 12 के तहत अपराध किया है, नियमित मामला दर्ज करने तथा एकाधिक ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध(धों) का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त तमिलनाडु राज्य में करती है।

[फा. सं. 228/88/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 23rd October, 2024

S.O. 2217.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government with the consent of the State of Tamil Nadu, issued vide Notification No. G.O.(2D).No. 294 dated 25.09.2024, Home (Citizenship) Department, hereby extends the powers and jurisdiction of members of the Delhi Special Police Establishment in the

whole of the State of Tamil Nadu for registration of a regular case against Shri K. Pugalendi, the then Senior Deputy Director, Traffic (P&R Cell) Department, Chennai Port Trust, Government of India and the private individuals Shri Raghul Chakaravathy, Shri Ludwin Rajiv, Shri Madhan Kumar, Shri Mydheen Raja and Shri Rajalingam of M/s R. S. Enterprises and unknown public servants of Chennai Port Trust, as they have prima facie committed the offence under section 120-B r/w 420, 468 and 471 of IPC and section 7, 8 and 12 of Prevention of Corruption Act, 1988 (as amended in 2018) and any attempt, abetment and conspiracy in relation or in connection with one or more such offences and/or any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/88/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 24 अक्टूबर, 2024

का.आ. 2218.—केन्द्र सरकार एतद् द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पुलिस अधीक्षक एवं शाखा प्रमुख, केन्द्रीय अन्वेषण ब्यूरो, भ्रष्टाचार निरोधक शाखा, धनबाद के दिनांक 17.09.2024 के पत्र संख्या – 408/सीओ-12/2024 द्वारा किए गए अनुरोध पर, अधिसूचना ज्ञापन सं.-10/सी.बी.आई.-429/2024-5699/रांची, दिनांक 26.09.2024, गृह, कारागार एवं आपदा प्रबंधन विभाग के माध्यम से जारी झारखंड राज्य सरकार की सम्मति से श्री प्रवीण कुमार मिश्रा, प्रबंधक (ई-5), श्यामपुर “बी” कोलियरी, ईसीएल, मुगमा क्षेत्र, निरसा, धनबाद के विरुद्ध मोहम्मद सलीम, सामान्य मजदूर, श्यामपुर “बी” कोलियरी, मुगमा क्षेत्र, ईसीएल, निरसा, धनबाद द्वारा दिनांक 11.09.2024 को दर्ज की गई शिकायत से उत्पन्न दिनांक 27.09.2024 को पंजीकृत आरसी 08(ए)/2024-डी का भ्रष्टाचार निवारण अधिनियम, 1988 (यथासंशोधित 2018) की धारा 7 के अंतर्गत दंडनीय अपराधों का पंजीकरण एवं अन्वेषण करने तथा ऐसे एक या उससे अधिक अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र सहित इस मामले के अन्वेषण के दौरान सामने आने वाले अन्य अपराधों एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध(धों) का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 27.09.2024 से कार्योत्तर प्रभाव से) करती है।

[फा. सं. 228/90/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 24th October, 2024

S.O. 2218.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification Memo No.-10/C.B.I.-429/2024-5699/Ranchi dated 26.09.2024, Home, Prisons and Disaster Management Department upon request made via letter number-408/CO-12/2024 dated 17.09.2024 of S.P. & Head of Branch, CBI, ACB, Dhanbad, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f 27.09.2024) for registration and investigation into the offences in RC 08(A)/2024-D registered on 27.09.2024 punishable under section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018) against Shri Praveen Kumar Mishra, Manager (E-5), Shyampur “B” Colliery, ECL, Mugma Area, Nirsa, Dhanbad arising out of the complaint dated 11.09.2024 lodged by Md. Salim, General Mazdoor, Shyampur “B” Colliery, Mugma Area, ECL, Nirsa, Dhanbad and any other offences that may come to light during investigation of this case, including any attempt, abetment and conspiracy in relation to or in connection with one or more such offences and /or any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/90/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 25 अक्टूबर, 2024

का.आ. 2219.—केन्द्र सरकार, एतद् द्वारा, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का केन्द्रीय अधिनियम 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केरल राज्य सरकार की अधिसूचना सं. जी.ओ. (एमएस.)सं.72/2024/गृह, तिरुवनंतपुरम, दिनांक 11.03.2024, गृह (एससी)

विभाग (एस.आर.ओ. सं. 260/2024) के माध्यम से जारी सम्मति से, मेसर्स मास्टर्स फिनसर्व/मास्टर्स ग्रुप/मास्टर्स फिनकॉर्प/मास्टर्स फिनकेयर, चक्करापिल्ली, एवेन्यू, 3सरा तल, सीपोर्ट एयरपोर्ट रोड, कक्कानाड, एर्नाकुलम द्वारा विभिन्न व्यक्तियों से लेकर संचालित किए जा रहे अविनियमित जमा के संबंध में श्रीक्काक्कारा थाना में भारतीय दंड संहिता, 1860 (1860 का केन्द्रीय अधिनियम 45) और अविनियमित निक्षेप स्कीम पाबंदी अधिनियम, 2019 (2019 का अधिनियम 21) के प्रावधानों के तहत दंडनीय अपराधों से संबंधित अपराध सं. 1156/2022 (सीबी/23/ईओडब्ल्यू/ईकेएम/आर/2023), 1159/2022, 1161/2022 और 1172/2022 साथ ही पंजीकृत अन्य संबंधित मामलों अथवा इन मामलों के अन्वेषण की जिम्मेदारी सीबीआई द्वारा लेने तक पंजीकृत अन्य मामलों से जुड़े अपराधों तथा केरल राज्य के भीतर इन मामलों से जुड़े उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त केरल राज्य में करती है।

[फा. सं. 228/34/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 25th October, 2024

S.O. 2219.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification G.O.(Ms.)No.72/2024/Home, Thiruvananthapuram, dated 11.03.2024, Home (SC) Department (S.R.O.No. 260/2024), hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment in the whole of the State of Kerala, for the investigation into the offences involved in the Crime No. 1156/2022 (CB/23/EOW/EKM/R/2023), 1159/2022, 1161/2022 and 1172/2022 of Thrikkakkara Police Station, as well as other connected cases registered or to be registered until the CBI takes over these cases, in connection with the unregulated deposit taking conducted by M/s Masters Finserve/Masters Group/Masters Fincorp/Masters Fincare, Chakkarapilly Avenue, 3rd Floor, Seaport Airport Road Kakkanad, Ernakulam from various persons, punishable under the provisions of the Indian Penal Code, 1860 (Central Act 45 of 1860), and the Banning of Unregulated Deposit Schemes Act, 2019 (Act 21 of 2019 and any other offence committed in the course of same transaction or arising out of the same facts, in regard to these cases within the State of Kerala and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/34/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 30 अक्टूबर, 2024

का.आ. 2220.—केन्द्र सरकार, एतद् द्वारा, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (वर्ष 1946 की अधिनियम सं. 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अपराधों को विनिर्दिष्ट करती है, जिनकी जांच भी दिल्ली विशेष पुलिस स्थापना के सदस्यों द्वारा की जानी है, नामतः:-

(क) महाराष्ट्र विश्वविद्यालय, बोर्ड और अन्य विनिर्दिष्ट परीक्षाओं में कदाचार निवारण अधिनियम, 1982 (1982 का अधिनियम सं. XXXI) की धारा 7 और 8 के अंतर्गत दंडनीय अपराधों; और

(ख) ऊपर उल्लिखित अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध(धों)।

[फा. सं. 228/66/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 30th October, 2024

S.O. 2220.— In exercise of the powers conferred by Section 3 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government hereby specifies the following offences which are also to be investigated by the members of the Delhi Special Police Establishment, namely :-

(a) Offences punishable under sections 7 and 8 of THE MAHARASHTRA PREVENTION OF MALPRACTICES AT UNIVERSITY, BOARD AND OTHER SPECIFIED EXAMINATION, ACT 1982 (ACT NO. XXXI OF 1982) and

(b) Any attempt, abetment and/or conspiracy, in relation to or in connection with above mentioned offence(s) and/or for any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/66/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 30 अक्टूबर, 2024

का.आ. 2221.—केन्द्र सरकार एतद् द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. XXV) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आदेश सं. विविध-0624/सी.आर.43/पोल-13, दिनांक 25.07.2024, गृह विभाग, मुंबई के माध्यम से जारी महाराष्ट्र राज्य सरकार की सम्मति से भा.दं.सं. की धारा 419, 34, 465, 467, 468, 471, 120(बी), 201 सपठित महाराष्ट्र विश्वविद्यालय, बोर्ड और अन्य निर्दिष्ट परीक्षाओं में कदाचार निवारण अधिनियम, 1982 की धारा 7 एवं 8 के अंतर्गत सीबीडी बेलपुर थाना, नवी मुंबई, महाराष्ट्र राज्य में सी.आर. सं.98/2024 द्वारा पंजीकृत मामले के संबंध में एवं उक्त मामलों के अन्वेषण के दौरान सामने आने वाला अन्य कोई अपराध का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना (डीएसपीई) के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/66/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 30th October, 2024

S.O. 2221.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. XXV of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. Misc-0624/C.R.43/Pol-13, Dated 25.07.2024, Home Department, Mumbai hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (DSPE) in the whole of the State of Maharashtra for investigation in respect of the crime registered vide C.R. No.98/2024 at CBD Belapur Police station, Navi Mumbai, Maharashtra State under Section 419, 34, 465, 467, 468, 471, 120(B), 201 of IPC r/w Section 7 & 8 of Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 and any other offence that may come to light during investigation of the said cases and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/66/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 13 नवम्बर, 2024

का.आ. 2222.—केन्द्र सरकार, एतद् द्वारा, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (वर्ष 1946 की अधिनियम सं. 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार की अधिसूचना सं. एच.डी.-12010/14/2024-पॉल2-एमएचडी, दिनांक 24 जुलाई, 2024, गृह विभाग, मंत्रालय के माध्यम से कार्योत्तर प्रभाव से जारी सम्मति से, विदेशी अभिदाय (विनियमन) अधिनियम, 2010 की धाराएँ 33, 35, 37 और 39 के तहत एमएचए संदर्भ सं. II/21022/58(81)2019-एफसीआरए (एमयू), नई दिल्ली, दिनांक 15.05.2019 (दिनांक 13 जून, 2019 को दर्ज सीबीआई संदर्भ सं. आरसी-0682019ई0004) का अन्वेषण करने के लिए

तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 13.06.2019 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/80/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 13th November, 2024

S.O. 2222.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No.25 of 1946), the Central Government with the Ex-Post-facto consent of the State Government of Maharashtra, issued vide Notification No: H.D.-12010/14/2024-POL2-MHD, dated the 24th July of 2024, Home Department, Mantralaya, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 13.06.2019) in the whole State of Maharashtra for investigation of MHA reference No.II/21022/58(81) 2019-FCRA (MU), New Delhi dated 15.05.2019 (CBI reference No.RC-0682019E0004 registered on 13th June, 2019) Under Sections 33, 35, 37 and 39 of Foreign Contribution (Regulation) Act, 2010 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts

[F. No. 228/80/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 21 नवम्बर, 2024

का.आ. 2223.—केन्द्र सरकार, एतद द्वारा, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का केन्द्रीय अधिनियम 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, माननीय राज्यपाल द्वारा अधिसूचना सं. जी.ओ.(2डी).सं.257, दिनांक 12.08.2024, गृह (नागरिकता) विभाग तथा संशोधित अधिसूचना सं. जी.ओ.(2डी).सं.321, दिनांक 22.10.2024, गृह (नागरिकता) विभाग के माध्यम से जारी तमिलनाडु राज्य सरकार की सम्मति से 1. श्री पी. अरिवलगन, पुत्र श्री पेरियासामी, निवासी 11/400 एमआईजी, एनटीएचबी, मुल्लई नगर, पश्चिम तांबरम, चेन्नई (एनआरआई), 2. मेसर्स जय इंजीनियर्स (श्री जयचंद्रन, पनेल वेलुएर द्वारा प्रतिनिधित्व), 3. श्री एस. सूर्यनारायणन, पनेल वेलुएर, चेन्नई, 4. श्री डी. संथोष, पुत्र श्री धनसेकरन, चेन्नई, 5. श्री एम. वेदमूर्ति (फ्लैटों के मालिक), 6. श्री हिटलर नतेसन, मेसर्स रॉयल इंटरनेशनल तथा भारतीय स्टेट बैंक के अज्ञात बैंक कर्मियों के विरुद्ध भारतीय स्टेट बैंक को 3,64,74,118/- रु. का सदोष हानि कारित करने के लिए भा.दं.सं. की धारा 120-बी, सपठित धारा 420, 468, 471 एवं भ्रष्टाचार निवारण अधिनियम, 1988 (यथासंशोधित 2018) की धारा 13(2) सपठित 13(1)(ए) के अंतर्गत केन्द्रीय अन्वेषण ब्यूरो, भ्रष्टाचार निरोधक शाखा, चेन्नई द्वारा मामले को पंजीकृत करने तथा अन्वेषण करने तथा ऐसे एक या उससे अधिक अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध(धों) का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त तमिलनाडु राज्य में करती है।

[फा. सं. 228/91/2024-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 21st November, 2024

S.O. 2223.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government with the consent of the State Government of Tamil Nadu, issued vide Notification No. G.O.(2D).No.257 dated 12.08.2024, Home (Citizenship) Department and Amended Notification No. G.O.(2D).No.321 dated 22.10.2024, Home (Citizenship) Department, hereby extends the powers and jurisdiction of members of the Delhi Special Police Establishment in the whole of the State of Tamil Nadu for registration of a case and investigation by Central Bureau of Investigation, Anti-Corruption Branch, Chennai under section 120-B, r/w 420, 468, 471 of IPC and under section 13(2) r/w 13(1)(a) of Prevention of Corruption Act, 1988 (as amended in 2018) against 1. Shri P.Arivalagan, S/o Shri Periyasamy, R/o. 11/400 MIG, NTHB, Mullai Nagar, West Tambaram, Chennai (NRI), 2. M/s Jai Engineers represented by Shri Jayachandran, Panel Valuer, 3. Shri S.Suryanarayanan, Panel Valuer, Chennai, 4. Shri D.Santhosh, S/o. Shri

Dhanasekaran, Chennai, 5. Shri M.Vedamurthy (owner of the flats), 6. Shri Hitler Natesan, M/s., Royal International and unknown Bank Officials of the State Bank of India for causing wrongful loss of Rs. 3,64,74,118/- to the State Bank of India, Chennai and any attempt, abetment and conspiracy in relation or in connection with one or more such offences and/or any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/91/2024-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 21 नवम्बर, 2024

का.आ. 2224.—केन्द्र सरकार एतद द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए शाखा प्रमुख, केन्द्रीय अन्वेषण ब्यूरो, भ्रष्टाचार निरोधक शाखा, धनबाद के दिनांक 24.09.2024 के पत्र संख्या 421/सीओ-13/2024 द्वारा किए गए अनुरोध पर अधिसूचना ज्ञापन सं.-10/सी.बी.आई.-430/2024-5837/रांची, दिनांक 07.10.2024, गृह, कारागार एवं आपदा प्रबंधन विभाग के माध्यम से जारी झारखंड राज्य सरकार की सम्मति से श्री सुरेश ठाकुर, लिपिक, कथारा कोल वाशरी, सीसीएल, बोकारो, झारखंड के विरुद्ध दिनांक 07.10.2024 को पंजीकृत आरसी.09(ए)/2024-डी का भ्रष्टाचार निवारण अधिनियम, 1988 (यथासंशोधित 2018) की धारा 7 के अंतर्गत दंडनीय अपराध(धों) तथा इस मामले के अन्वेषण के दौरान सामने आने वाले किसी अन्य अपराध का पंजीकरण एवं अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 07.10.2024 से कार्यान्तर प्रभाव से) करती है।

[फा. सं. 228/92/2024-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 21st November, 2024

S.O. 2224.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification Memo No.-10/C.B.I-430/2024-5837 Ranchi, dated 07.10.2024, Home, Prisons and Disaster Management Department upon request made via letter number 421/CO-13/2024, dated 24.09.2024 of Head of Branch, CBI, ACB, Dhanbad, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f 07.10.2024) for registration and investigation into the offence(s) in RC.09(A)/2024-D registered on 07.10.2024 punishable under section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018), against Shri Suresh Thakur, Clerk, Kathara Coal Washery, CCL, Bokaro, Jharkhand and any other offence that may come to light during investigation of this case and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/92/2024-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 22 नवम्बर, 2024

का.आ. 2225.—केन्द्रीय सरकार दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का केन्द्रीय अधिनियम 25) की धारा 5 उप-धारा (1) सपठित धारा 6, सपठित साधारण खण्ड अधिनियम, 1897 (1897 का केन्द्रीय अधिनियम 10) की धारा 21 के तहत प्रदत्त शक्तियों का प्रयोग करते हुए, तमिलनाडु राज्य सरकार की अधिसूचना सं. जी.ओ.(2डी). सं. 320, दिनांक 22.10.2024, गृह (पुलिस-14) विभाग द्वारा जारी सम्मति से, श्री अन्नादुरई, अधीक्षक, जीएसटी और केन्द्रीय उत्पाद शुल्क, धर्मपुरी और श्री कार्तिकियन, निरीक्षक, जीएसटी और केन्द्रीय उत्पाद शुल्क, धर्मपुरी, भारत सरकार के विरुद्ध भ्रष्टाचार निवारण अधिनियम, 1988 (2018 में यथासंशोधित) की धारा 7 के तहत दिनांक 26.10.2024 को पंजीकृत सीबीआई प्रकरण RC0322024A0016 और ऐसे अपराध(धों) से संबंधित या जुड़े किसी दुष्प्रयास, दुष्प्रेरणा और/या साजिश, या उसी संव्यवहार में या उन्हीं तथ्यों से उत्पन्न होने वाले किसी अन्य अपराध का पंजीकरण और अन्वेषण

करने के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों के क्षेत्राधिकार और शक्तियों का विस्तार (दिनांक 26.10.2024 से कार्योत्तर प्रभाव से) संपूर्ण तमिलनाडु राज्य में करती है।

[फा. सं. 228/93/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 22nd November, 2024

S.O. 2225.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act XXV of 1946) read with section 21 of the General Clauses Act, 1897 (Central Act X of 1879), the Central Government with the consent of the State Government of Tamil Nadu, issued vide Notification No. G.O. (2D) No.320 dated 22.10.2024, Home (Police-XIV) Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f 26.10.2024) in the whole state of Tamil Nadu for registration and investigation in CBI case RC0322024A0016 registered on 26.10.2024 under Section 7 of Prevention of Corruption Act, 1988 (as amended in 2018) against Shri. Annadurai, Superintendent, GST and Central Excise, Dharmapuri and Shri. Karthikeyan, Inspector, GST and Central Excise, Dharmapuri, Government of India and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/93/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 29 नवम्बर, 2024

का.आ. 2226.—केन्द्र सरकार एतद द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधिसूचना सं. एफ.19(39)गृह-5/2021, जयपुर, दिनांक 31.10.2023, गृह (जीआर.-V) विभाग के माध्यम से जारी राजस्थान राज्य सरकार की सम्मति से थाना रातानाडा, जोधपुर पूर्व, पुलिस आयुक्तालय, जोधपुर (राजस्थान) में भा.दं.सं. की धारा 121ए, 201, 302, 120बी तथा एससी/एसटी अधिनियम की धारा 3(2)(v)(वए) के अंतर्गत एफआईआर सं. 200/2023 का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/86/2021-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 29th November, 2024

S.O. 2226.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No. F.19(39)Home-5/2021, Jaipur, Dated 31.10.2023, Home (Gr.-V) Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment in the whole State of Rajasthan for the investigation of FIR No. 200/2023 under section 121A, 201, 302, 120B IPC, 3(2)(v)(va) SC/ST Act registered at Police Station Ratanada, Jodhpur East, Police Commissionerate, Jodhpur (Rajasthan) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/86/2021-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 29 नवम्बर, 2024

का.आ. 2227.—केन्द्र सरकार दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार की अधिसूचना सं.

जी.ओ.(एमएस.) सं.255/2022/गृह, दिनांक 02.12.2022 (एस.आर.ओ. सं. 1162/2022) और शुद्धि पत्र अधिसूचना जी.ओ.(एमएस.) सं.215/2024/गृह, दिनांक 06.10.2024 (एस.आर.ओ. सं. 893/2024), गृह (एम) विभाग, तिरुवनंतपुरम के माध्यम से जारी सम्मति से श्री रोहित खत्री, निरीक्षक, सीमा शुल्क, कालीकट अंतर्राष्ट्रीय विमानपत्तन, करिपुर, मलप्पुरम, केरल और अन्य अज्ञातों, यदि कोई हो, के विरुद्ध सीमा शुल्क द्वारा जब्त किए गए सोने के अवैध दुर्विनियोजन के लिए भारतीय दंड संहिता, 1860 (1860 का केन्द्रीय अधिनियम 45) की धारा 120बी और 409 तथा भ्रष्टाचार निवारण अधिनियम, 1988 (2018 के केन्द्रीय अधिनियम 16 द्वारा यथासंशोधित) की धारा 13 की उप-धारा (1) के खंड (क) सपठित उप-धारा (2) के तहत दिनांक 16.12.2022 को पंजीकृत आरसी 0332022ए0004 में दंडनीय अपराधों तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का पंजीकरण और अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 16.12.2022 से कार्योत्तर प्रभाव से) समस्त केरल राज्य में करती है।

[फा. सं. 228/27/2023-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 29th November, 2024

S.O. 2227.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification No. G.O. (Ms.) No.255/2022/Home, dated 02.12.2022 (S. R. O. No. 1162/2022) and Erratum Notification G.O.(Ms.) No. 215/2024/HOME, dated 06.10.2024 (S. R. O. No. 893/2024), Home (M) Department, Thiruvananthapuram, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 16.12.2022) in the whole of the State of Kerala for registration and investigation into the offences in RC 0332022A0004 registered on 16.12.2022 punishable under section 120B and 409 of Indian Penal Code, 1860 (Central Act 45 of 1860) and clause (a) of sub-section (1) read with sub-section (2) of Section 13 of the Prevention of Corruption Act, 1988 (as amended by the Central Act 16 of 2018) against Shri Rohit Khatri, Inspector, Customs, Calicut International Airport, Karippur, Malappuram, Kerala and unknown others, if any for the clandestine misappropriation of seized gold by Customs and any attempt, abetment and conspiracy in relation to or in connection with one or more such offences and /or any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/27/2023-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

नई दिल्ली, 3 दिसम्बर, 2024

का.आ. 2228.—केन्द्रीय सरकार दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पुलिस उपमहानिरीक्षक/शाखा प्रमुख, केन्द्रीय अन्वेषण ब्यूरो, भ्रष्टाचार निरोधक शाखा, रांची के दिनांक 11.07.2024 के पत्र संख्या 424/एसआई-4/2022-आर द्वारा किए गए अनुरोध पर गृह, कारागार एवं आपदा प्रबंधन विभाग की अधिसूचना ज्ञापन संख्या 10/सी.बी.आई.-424/2024-4717/रांची, दिनांक 05.08.2024 तथा पुलिस उपमहानिरीक्षक/शाखा प्रमुख, केन्द्रीय अन्वेषण ब्यूरो, भ्रष्टाचार निरोधक शाखा, रांची के दिनांक 09.10.2024 के पत्र संख्या 598/एसआई-4/2022-आर के अनुरोध पर गृह, कारागार एवं आपदा प्रबंधन विभाग के शुद्धिपत्र अधिसूचना ज्ञापन संख्या 10/सी.बी.आई.-424/2024-6322/रांची, दिनांक 30.10.2024 के माध्यम से जारी झारखंड राज्य सरकार की सम्मति से श्री अभय कुमार, तत्कालीन महाप्रबंधक (परियोजना), रेल इंडिया टेक्निकल एंड इकोनॉमिक्स सर्विसेज लिमिटेड (RITES Ltd.), रांची, जो रेल मंत्रालय के अधीनस्थ हैं, के विरुद्ध भ्रष्टाचार निवारण अधिनियम, 1988 (2018 के संशोधन से पहले) की धारा 13(2) सपठित धारा 13(1)(ई) और भ्रष्टाचार निवारण अधिनियम, 1988 (वर्ष 2018 में यथासंशोधित) की धारा 13(2) सपठित धारा 13(1)(बी) के अंतर्गत दंडनीय अपराधों तथा अन्वेषण के दौरान सामने आने वाले अन्य अपराध(धों) सहित एक या उससे अधिक ऐसे अपराधों से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध(धों) के लिए एक नियमित मामले का पंजीकरण करने के लिए दिल्ली विशेष पुलिस स्थापन के सभी सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार झारखंड राज्य में करती है।

[फा. सं. 228/99/2024-एवीडी-II]

सत्यम श्रीवास्तव, अवर सचिव

New Delhi, the 3rd December, 2024

S.O. 2228.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification Memo No.10/C.B.I.-424/2024-4717/Ranchi dated 05.08.2024, Home, Prisons and Disaster Management Department upon request made vide letter No. 424/SI-4/2022-R, dated 11.07.2024 of DIG of Police/Head of Branch, CBI, ACB, Ranchi and corrigendum Notification Memo No.10/C.B.I.-424/2024-6322/Ranchi dated 30.10.2024, Home, Prisons and Disaster Management Department upon request made vide letter No. 598/SI-4/2022-R, dated 09.10.2024 of DIG of Police/Head of Branch, CBI, ACB, Ranchi hereby extends the powers and jurisdiction to all the members of the Delhi Special Police Establishment in the State of Jharkhand for registration of a regular case against Shri Abhay Kumar, the then General Manager (Project), Rail India Technical and Economics Services Ltd. (RITES Ltd.) Ranchi, under Ministry of Railway, for committing offences U/s 13(2) r/w 13(1)(e) of Prevention of Corruption Act, 1988 (before the amendment of 2018) and U/s 13 (2) r/w 13(1)(b) of Prevention of Corruption Act, 1988 (as amended in year 2018) and any other offences(s) that may come into the light during investigation of case including any attempt, abetment and conspiracy in relation to or in connection with one or more such offences and/or any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/99/2024-AVD-II]

SATYAM SRIVASTAVA, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 4 दिसम्बर, 2024

का.आ. 2229.—केंद्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में सूचना और प्रसारण मंत्रालय के अधीनस्थ कार्यालय यथा इलेक्ट्रॉनिक मीडिया मॉनिटरिंग सेंटर, नई दिल्ली जिनके 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[फ़ा. सं. ई-11017/10/2017-हिंदी]

जसवंत सिंह, सहायक निदेशक (राजभाषा)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 4th December, 2024

S.O. 2229.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the subordinate office of Ministry of Information and Broadcasting namely Electronic Media Monitoring Center, New Delhi whereof more than 80% of the staff have acquired the working knowledge of Hindi.

[F. No. E-11017/10/2017-Hindi]

JASWANT SINGH, Assistant Director (O.L.)

विद्युत मंत्रालय

नई दिल्ली, 5 दिसम्बर, 2024

का.आ. 2230.—केंद्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में विद्युत मंत्रालय के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:

1.	एनएचपीसी लिमिटेड, उड़ी पावर स्टेशन,	2.	एनर्जी एफिशिएंसी सर्विसेज़ लिमिटेड, प्रथम तल, आरएमडी बिल्डिंग,
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	गिंगल, जिला- बारामुल्ला, जम्मू व कश्मीर - 193122		लेन नंबर-4, इंडस्ट्रियल एस्टेट सिकॉप, डिगियाना, जीवन नगर, जम्मू - 180004
3.	एनर्जी एफिशिएंसी सर्विसेज़ लिमिटेड, भू-तल, नेशनल स्कूल के पीछे, करण नगर, श्रीनगर - 190010	4.	दामोदर घाटी निगम, मैथन डैम परियोजना, पोस्ट - मैथन डैम, जिला- धनबाद झारखंड - 828207
5.	एनटीपीसी लिमिटेड, बोंगाईगांव थर्मल पावर स्टेशन, डाकघर- सालाकाटी, जिला- काकराझार, असम - 783369	6.	आरईसी लिमिटेड, क्षेत्रीय कार्यालय, संख्या-12 एवं 13, टी.एन.एच.बी. कॉम्प्लेक्स, 180, लज चर्च रोड, मैलापुर, चेन्नई, तमिल नाडु - 600004

[फा. सं. 11011/01/2024-हिंदी]

धीरज कुमार श्रीवास्तव, मुख्य अभियंता (प्रभारी राजभाषा)

MINISTRY OF POWER

New Delhi, the 5th December, 2024

S.O. 2230.—In pursuance of Sub Rule (4) of Rule 10 of the Official Languages (Use for Official Purpose of the Union) Rules, 1976, the Central Government hereby notify the following offices under the administrative control of Ministry of Power, wherein 80% of the staff have acquired working knowledge of Hindi:

1.	NHPC Limited Udi Power Station, Gingal, Distt- Baramulla, Jammu & Kashmir - 193122	2.	Energy Efficiency Services Limited, 1st Floor, RMD Building, Lane No-4, Industrial Estate SICOP, Digiana, Jeevan Nagar, Jammu - 180004
3.	Energy Efficiency Services Limited Ground Floor, Behind National School, Karan Nagar, Srinagar - 190010	4.	Damodar Valley Corporation, Maithon Dam Project, Post: Maithon Dam, Distt- Dhanbad, Jharkhand - 828207
5.	NTPC Limited, Bongaigaon Thermal Power Station, Post Office- Salakati, Distt- Kokrajhar, Assam - 110003	6.	REC Limited, Regional Office, No. 12&13, T.N.H.B Complex, 180, Luz Church Road, Mylapore, Chennai, Tamil Nadu - 600004

[F. No. 11011/01/2024-Hindi]

DHIRAJ KUMAR SRIVASTAVA, Chief Engineer (In-Charge O.L.)

संचार मंत्रालय**(डाक विभाग)**

नई दिल्ली, 22 नवम्बर, 2023

का.आ. 2231.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अनुसरण में, डाक विभाग के निम्नलिखित अधीनस्थ कार्यालय, जिसके 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:-

पोस्टमास्टर जनरल का कार्यालय,
वाराणसी क्षेत्र,
वाराणसी - 221002

[फा. सं. ई-11017-1/2021-रा.भा.]

मोजफर उद्दीन अब्दाली, उप महानिदेशक (ईएमएम /राजभाषा)

MINISTRY OF COMMUNICATION

(Department of Posts)

New Delhi, the 22nd November, 2023

S.O. 2231.—In Pursuance of sub rule (4) of Rule 10 of the Official Language (use for official Purposes of the Union) Rules 1976 (as amended in 1987), the Central Government hereby notifies following Sub-ordinate office of the Department of Posts, where more than 80% Officers/Officials have acquired the working knowledge of Hindi: -

**Office of the Postmaster General,
Varanasi Division,
Varanasi - 221002**

[F. No. E-11017-1/2021-OL]

MOZAFFAR UDDIN ABDALI, Dy. Director General (EMM/OL)

नई दिल्ली, 22 नवम्बर, 2023

का.आ. 2232.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अनुसरण में, डाक विभाग के निम्नलिखित अधीनस्थ कार्यालय, जिसके 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:-

पोस्टमास्टर जनरल का कार्यालय,
प्रयागराज क्षेत्र,
प्रयागराज - 211001

[फा. सं. ई-11017-1/2021-रा.भा.]

मोजफर उद्दीन अब्दाली, उप महानिदेशक (ईएमएम /राजभाषा)

New Delhi, the 22nd November 2023

S.O. 2232.—In Pursuance of sub rule (4) of Rule 10 of the Official Language (use for official Purposes of the Union) Rules 1976 (as amended in 1987), the Central Government hereby notifies following Sub-ordinate office of the Department of Posts, where more than 80% Officers/Officials have acquired the working knowledge of Hindi: -

**Office of the Postmaster General,
Prayagraj Region,
Prayagraj - 211001**

[F. No. E-11017-1/2021-OL]

MOZAFFAR UDDIN ABDALI, Dy. Director General (EMM/OL)

नई दिल्ली, 24 नवम्बर, 2024

का.आ. 2233.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अनुसरण में, डाक विभाग के निम्नलिखित अधीनस्थ कार्यालय,

जिसके 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:-

अधीक्षक डाकघर का कार्यालय,
हावेरी मंडल,
हावेरी- 581110

[फा. सं. ई-11017-1/2021-रा.भा.]

मोजफर उद्दीन अब्दाली, उप महानिदेशक (ईएमएम/राजभाषा)

New Delhi, the 24th November 2023

S.O. 2233.—In Pursuance of sub rule (4) of Rule 10 of the Official Language (use for official Purposes of the Union) Rules 1976 (as amended in 1987), the Central Government hereby notifies following Sub-ordinate office of the Department of Posts, where more than 80% Officers/Officials have acquired the working knowledge of Hindi: -

**Office of the Senior Superintendent of Post Offices,
Haveri Division,
Haveri -581110**

[F. No. E-11017-1/2021-OL]

MOZAFFAR UDDIN ABDALI, Dy. Director General (EMM/OL)

नई दिल्ली, 24 नवम्बर, 2023

का.आ. 2234.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अनुसरण में, डाक विभाग के निम्नलिखित अधीनस्थ कार्यालय, जिसके 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:-

अधीक्षक डाकघर का कार्यालय,
बेलगावि मंडल,
बेलगावि- 590001

[फा. सं. ई-11017-1/2021-रा.भा.]

मोजफर उद्दीन अब्दाली, उप महानिदेशक (ईएमएम/राजभाषा)

New Delhi, the 24th November 2023

S.O. 2234.—In Pursuance of sub rule (4) of Rule 10 of the Official Language (use for official Purposes of the Union) Rules 1976 (as amended in 1987), the Central Government hereby notifies following Sub-ordinate office of the Department of Posts, where more than 80% Officers/Officials have acquired the working knowledge of Hindi: -

**Office of the Senior Superintendent of Post Offices,
Belgavi Division,
Belgavi – 590001**

[F. No. E-11017-1/2021-OL]

MOZAFFAR UDDIN ABDALI, Dy. Director General (EMM/OL)

नई दिल्ली, 24 नवम्बर, 2023

का.आ. 2235.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अनुसरण में, डाक विभाग के निम्नलिखित अधीनस्थ कार्यालय, जिसके 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:-

अधीक्षक डाकघर का कार्यालय,

बल्लारी मंडल,

बल्लारी- 583102

[फा. सं. ई-11017-1/2021-रा.भा.]

मोजफ्फर उद्दीन अब्दाली, उप महानिदेशक (ईएमएम /राजभाषा)

New Delhi, the 24th November 2023

S.O. 2235.—In Pursuance of sub rule (4) of Rule 10 of the Official Language (use for official Purposes of the Union) Rules 1976 (as amended in 1987), the Central Government hereby notifies following Sub-ordinate office of the Department of Posts, where more than 80% Officers/Officials have acquired the working knowledge of Hindi: -

Office of the Senior Superintendent of Post Offices,

Ballarii Division,

Ballarii - 583102

[F. No. E-11017-1/2021-OL]

MOZAFFAR UDDIN ABDALI, Dy. Director General (EMM/OL)

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 25 नवम्बर, 2024

का.आ. 2236.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन, संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय भुवनेश्वर के पंचाट (07/2007) प्रकाशित करती है।

[सं. एल - 12012/33/2006- आई आर (बी-1)]

सलोनी, उप निदेशक

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 25th November, 2024

S.O. 2236.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.07/2007) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Bhubaneswar* as shown in the Annexure, in the industrial dispute between the management of State Bank of India their workmen.

[No. L-12012/33/2006- IR(B-I)]

SALONI, Dy. Director

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR**

Present:

Sri Dinesh Kumar Singh,
Presiding Officer, C.G.I.T.-cum-Labour
Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 07/2007**Date of Passing Award – 31st July, 2024**

Between:

The Chief General Manager,
State Bank of India, Local Head Office,
III/1, Pandit Jawaharlal Nehru Marg,
Bhubaneswar – 751 001.

... 1st Party-Management.

(And)

The General Secretary,
State Bank of India Temporary 4th Grade
Employees Union, Qr. No. Vr-5/1, Unit-III,
Kharvela Nagar, Bhubaneswar.

... 2nd Party-Union.

Appearances:

Sri Subrat Mishra, ... For the 1st Party-
Advocate. Management

Sri M. Pratap, Advocate. ... For the 2nd Party-Union.

A W A R D

The Government of India in the Ministry of Labour in exercising its authority conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred a dispute between the Management of State Bank of India, Local Head Office and their workman vide letter No. L-12012/33/2006 – IR(B- I), New Delhi dated 09.02.2007 for its adjudication and the schedule of the reference is as follows:-

“Whether the action of the management of State Bank of India, Orissa Circle, Bhubaneswar in not considering the case of 125 workmen whose details are in Annexure-A for re-employment as per Section 25(H) of the Industrial Disputes Act, 1947 is legal and justified? If not, to what relief the workmen are entitled to?”

2. The case of the sponsoring Union, SBI Temporary 4th Grade Union as per the statement of claim is as follows:-

That, the 2nd Party-Union under reference (total – 125 workmen) joined their services from 1979 onwards in different branches of the State Bank of India as messengerial sweepers and they had worked continuously for 240 days in every calendar year of service for a total period of 10 to 15 to 25 years. Further all the workmen had no adverse remarks against them, but all the workmen under reference had been retrenched from their services with effect from 30.09.2004 without any notice or compensation in violation of the provisions of Industrial Disputes Act. A list of all 125 workmen under reference shows names of workmen, their branch, designation, year of joining and date of refusal/retrenchment from service which is annexed as Annexure-1. After retrenchment of all 125 workmen from their services, they had requested the Bank-Management for their re-employment but their case was not considered. In the mean-while several new branches were opened and many 4th grade employees had been promoted to the higher grade in different branches, but the Bank-Management had not considered their case. In the mean-time a number of daily wagers had been allowed to work in different branches but the Bank Management had not

considered their case for assigning work in the Bank. The concerned 125 workmen under reference had been victimized by the 1st Party-Management as being bonafide and active members of the State Bank of India Temporary 4th Grade Employees Union affiliated to CITU as a result these workmen had been deprived of their consideration by the Bank-Management. All the concerned workmen have crossed the age limit of recruitment and they have no chance of further employment. The Bank-Management has violated the mandatory provisions of Section 25-F of the Industrial Disputes Act, 1947 read with Section 78 of Industrial Disputes Rules, 1957 by not giving preference of employment to these 125 workmen whereas new comers, daily wagers and others were allowed to work for years together. The 1st Party-Management has also violated the mandatory provisions of Section 25-G of the Industrial Disputes Act read with Section 77 of the Industrial (Central) Rules, 1957 by not mentioning the list of retrenched workers on the basis of their seniority in order to victimize these workmen for their Trade Union work. All the 125 concerned workmen involved in this case are sitting idle and are not gainfully employed from the date of their refusal of employment/retrenchment i.e. 30.09.2004. Some of these workmen were initially given appointment letters by the respective Branch Managers after taking successful interviews from the sponsored candidates through Employment Exchange and some of them were appointed directly by respective branches. All the concerned 125 workmen were not considered for re-employment even after their recommendation by the SBI Staff Association and SBI SC & ST Employees Welfare Council.

A prayer has been made to answer the reference in favour of the 2nd party-workmen and to hold that the action of the Management of State Bank of India, Orissa Circle, Bhubaneswar in not considering the case of these 125 workmen as per 25-H of the Industrial Disputes Act is illegal and unjustified and all the 125 workmen are entitled for full back wages and continuity of service with effect from 30.09.2004.

3. On the other hand the case of the 1st Party-Management namely State Bank of India, Local Head Office, Bhubaneswar is as follows:-

That the present dispute raised by the Union espousing the cause of 125 persons is false, frivolous, and not tenable in the eyes of law. Out of 125 workmen under reference good number of workmen had raised Industrial Dispute before the Asst. Labour Commissioner (Central), Bhubaneswar and subsequently the Bank had filed its detailed replies as a result this reference was made. The Union had first of all raised the dispute of 61 persons before the R.L.C. (Central), Bhubaneswar, but subsequently submitted a list of 112 workmen including 61 persons and in that list the Union had shown different dates of alleged engagement and disengagement of those workmen whereas uniform date of termination of these workmen had been given under reference which is totally false and in-correct. The 2nd party-Union had no-where mentioned the names and details of such persons who were continuing at different branches of the 1st Party-Management in place of 125 workmen as shown in the Annexure-A, so there is no violation of Section 25-G of the Industrial Disputes Act. On account of administrative exigencies the Bank-Management used to make temporary engagement as Messengers/Sweepers as and when required at different branches. In view of finding a permanent solution to the problem of the temporary employees of the Bank, the Bank entered into number of settlements with the State Bank of India and SBI Staff Federation on 17.11.1987, 16.07.1988, 27.10.1988, 09.01.1991 and 30.07.1996 providing a scheme for creation of messengerial post, identification of vacancies at various offices, eligibility criteria for considering ex-temporary employees/daily wagers for their permanent appointment in the Bank and testing their suitability and preparing panels for this purposes. These settlements also provided that the panels would be used for filling of the vacancies arising up to 31.12.1994 whereas appointment against such vacancies would be over by 31.03.1997 and thereafter panels would be expired. The Zonal Office of the Management-Bank prepared a wait list of the candidates found suitable for absorption in descending order of their temporary services rendered in the Bank in which the disputants were also wait listed, but the said panel expired on 31.03.1997 before their turn came, so they could not be absorbed in the Bank. The disputant workmen had worked with lesser number of days than the candidates who were absorbed from the panel. After expiry of the panel some of the persons preferred Writ petition before the Hon'ble High Court of Orissa vide OJC No. 2787/1997 and the Hon'ble High Court of Orissa dismissed numbers of writ petitions and upheld the action of the Bank. Further the judgement of Hon'ble High Court of Orissa has been upheld by the Hon'ble Supreme Court of India so this matter has attained finality.

A prayer has been made to answer the reference in favour of the 1st party-Management.

4. After hearing of both the parties and on the basis of pleadings, following issues are framed for adjudication:-

ISSUES

- i) Whether the reference is maintainable in view of the fact that the individual workmen as mentioned in the list enclosed to the present reference has made separate references to the same effect?
- (ii) Whether the action of the management of State Bank of India, Orissa Circle, Bhubaneswar in not considering the case of 125 workmen those details are in Annexure-A for re-employment as per Section 25-H of the Industrial Disputes Act, 1947 is legal and justified?
- (iii) If not, to what relief the workmen are entitled to?

5. The 2nd Party-Union has examined three witnesses. They are W.W.-1 Sri Purna Chandra Biswal, W.W.-2 Sri Sarat Kumar Pradhan & W.W.-3 Sri Panchanan Maharana.

6. The 2nd Party-Union has proved following documents which are marked as follows :-

Ext.-1 – Photocopy of the engagement certificate issued by the A.G.M.

Ext.-2 – Photocopy of Order dated 26.10.2018 issued by the C.G.M.

Ext.-3 – Photocopy of the expenses incurred towards engagement of the workman.

Ext.-4 – Photocopy of the interview call letter dated 21.12.1993.

Ext.-5 – Photocopy of the information/particulars submitted by the SBI, dated 12.12.2002.

Ext.-6 – Photocopy of rejection order issued by the Management Bank to the workmen.

Ext.-7 – Photocopy of the certificate of temporary services dated 11.03.1991.

Ext.- 8 – Photocopy of advertisement of the Management Bank published in the Odia daily newspaper.

Ext.-9 – Photocopy of advertisement of the Management Bank published in the Odia daily Newspaper dated 01.05.1991.

Ext.-10 – Photocopy of another advertisement of the Management Bank published in the Odia daily newspaper, dated 20.08.1991.

Ext.-11 – Photocopy of the interview call letter dated 20.12.1993 with token.

Ext.-12 – Photocopy of the Bank Pass Book of Panchanan Moharana.

Ext.-13 – Photocopy of the Bank Pass Book of Panchanan Moharana.

Ext.-14 – Photocopy of petty cash vouchers of the Management.

Ext.-15 – Photocopy of certificate of registration of Trade Unions.

Ext.-16 – Photocopy of letter of Management dated 02.09.2003.

Ext.-17 – Photocopy of the Minutes of discussion.

Ext.-18 – Photocopy of the complaint letter dated 28.02.2005 addressed to the A.L.C(C), Bhubaneswar.

Ext.-19 – Photocopy of the notice issued by the A.L.C (C), Bhubaneswar.

Ext.-20– Photocopy of the letter dated 21.03.2005 to the A.L.C.(C), Bhubaneswar.

Ext.-21 – Photocopy of the failure report dated 28.09.2005 sent to the Ministry.

7. The 1st Party-Management has examined only one witness. He is M.W.-1 Sri Nalin Kumar Dash, who is Chief Manager (HR).

8. The 1st Party-Management has proved following documents which are as follows:-

Ext.-A – Photocopy of the minutes of discussion held on 30.05.2007.

Ext.-A/1 – Photocopy of the letter dated 29.06.2007 forwarding therewith the minutes of the meeting to the Ministry of Finance, Government of India.

Ext.-B – Photocopy of the orders of the Hon'ble High Court of Orissa passed in OJC No. 2787/1987.

Ext.- C – Photocopy of the orders passed by Hon'ble Supreme Court.

Ext.- D – Photocopy of the settlement dated 17.11.1987.

Ext.- E – Photocopy of the settlement dated 16.07.1988.

Ext.- F – Photocopy of the settlement dated 27.10.1988.

Ext.- G – Photocopy of the settlement dated 09.01.1991.

Ext.- H - Photocopy of the settlement dated 30.07.1996.

Ext.- J – Photocopy of the letter dated 02.08.2004.

Ext.-K – Photocopy of the letter dated 22.11.2004 of R.L.C(C), Bhubaneswar.

FINDINGS

9. The Tribunal thinks it proper to discuss first of all the issue No. II.

ISSUE NO. II

10. At the outset of the discussion it is required to be mentioned here that it is the case of the 2nd party-workmen that 125 number of workmen as per schedule-A of the reference were working in different branches of the State Bank of India as messengers/sweepers and their services were retrenched/terminated with effect from 30.09.2004 without any notice and/or compensation though they had worked for a total period of ten to fifteen years. It is the further case of the 2nd party-workmen that large number of daily wagers had been allowed to work in different branches but the 1st Party-Management had avoided to consider their case so the Management had violated the mandatory provisions of Section 25-G & 25-H of the Industrial Disputes Act. The 2nd party-workmen has submitted a list of 125 workmen mentioning their names, designation, name of the branches, year of joining and date of refusal of employment.

11. On the other hand, it is the case of the 1st Party-Management that the 2nd party-workmen had not mentioned the name of the such workers who were continuing at different branches of the State Bank of India in place of 125 persons as mentioned in Annexure-A. It is the further case of the 1st Party-Management that as per the settlement with All India SBI Staff Federation a panel was prepared for considering the ex-temporary employees/daily wagers for their permanent appointment in the Bank and consequently the Zonal Office had prepared a wait list of candidates as per their period of services rendered in the Bank in which the disputants were waitlisted, but the panel expired on 31.03.1997 before The 2nd party-workmen could not be absorbed.

12. In the light of the statement of claim of the sponsoring Union and written statement of the Management of SBI the Tribunal thinks it proper to examine the oral and documentary evidence of both the parties.

13. The W.W.-1 Sri Purna Chandra Biswal has deposed that he had been working as a 4th Grade Temporary Messenger from the year 1991 in State Bank of India Main Branch and from the year 1997 in Commercial Branch. He has also deposed that from the year 2004 he had worked in the Staff Association of Zonal Office, Bhubaneswar and he had been continuing till today. He has also stated that the State Bank of India had called for interview for permanent appointment/absorption of temporary Messenger who were working in different branches under the State Bank of India in which he had applied for Messenger Post and his name was listed in the panel prepared by the State Bank of India but the management of State Bank of India gave appointment to some of the workmen and suddenly rejected the panel without any notice or information. He has also stated that 125 numbers of selected workmen were sort-listed for absorption but they were not absorbed. He has also stated that all the State Bank of India branches are engaging workmen in the existing work directly or through contractor services in all the branches, but the Management refused to engage them. He has proved some documents which are marked as Ext.-1 to Ext.-3.

In the cross examination he has deposed that he is not a member of the Union and he has not been authorized by the Union to depose before the Tribunal. He has further deposed that this dispute was raised after registration of the Union in the month of August, 2004. He has further deposed that he is giving evidence on his interest only and he has not filed any document to show that he was continuing or employed temporarily under the Management of State Bank of India by the time the dispute was raised. He has denied the suggestion that it is not a fact that 30 persons were not working under the Management. He has further stated that 15 – 20 persons were on employment. He has also stated that the Union had not filed any documents showing employment of twenty persons who had worked under the Management in the relevant period. He has further stated that in November, 2004 the Union had submitted a list of 125 persons involved in the dispute. He has also stated that as per the settlement in the year 1987, 1988, 1991 and 1996 in between the Union and the Management, interview was held in the year 1990 and 1993 in which three separate list of candidates were prepared as per performance of the candidates. He has denied the suggestion that he was not considered for his permanent absorption either for reason of his engagement less than the engaged persons in the empanelment or due to his poor performance. He has also denied the suggestion that he had no right or cause of action to raise this dispute as he was not terminated or retrenched workman by the 1st Party-Management.

14. The W.W.-2 Sri Sarat Kumar Pradhan in his evidence has deposed that he had been working as 4th Grade temporary Messenger in the State Bank of India, IDCO Tower Branch and at Rajpath Evening Branch, Bhubaneswar from 1991 and he worked for more than 240 days in each year under the C.G.M. State Bank of India, Bhubaneswar. He has also deposed that he had been called for the interview by the management of State Bank of India for appointment/absorption in the cadre of 4th grade Messenger and his name was enlisted in the panel of selection list, but his appointment in the permanent post was ignored by the Management of State Bank of India. He has also deposed that the management of State Bank of India had rejected the panel without any notice or information and in this way seventeen number of 4th Grade temporary Messengers were deprived from the regular job. He has also stated that he and all the workmen had continued to work in the Management-Bank up to the year March, 2004, but the Management disengaged them from work after formation of Union namely SBI 4th Grade Employees Union. He has also stated that the Branch Manager of different branches are now engaging new faces for the same work as there is existing work of Messengers in various branches but he and other workmen are not allowed to work. He has also

deposed that he was allowed to continue at SBI Badagada Branch, Bhubaneswar from 2011 to 2016 through service provider. He has proved some documents which are marked as Ext.-4 to Ext.-6.

In the cross examination he has deposed that he had worked in SBI from 1991 to 2004. He has further deposed that in the year 1991 he was working in Branch Bank IDCO Tower Branch whereas from 1993 he worked in Rajpath Evening Branch till 2004. He has further deposed that he had not filed any document except Ext.-5 series to show that he had worked in the State Bank of India from 1991 to 2004 and his last date of employment was 30.10.2004. He has also deposed that he had worked in the state Bank of India from 1995 to 1997 for 743 days. He has further stated that he has adduced evidence on behalf of all the workmen. He has further deposed that he had attended the interview for selection of regular messenger but he was not selected. He has further stated that the result of the interview was not published. He has further deposed that the Bank had prepared three panels consisting of Panel-A, Panel-B and Panel-C and his name was at Sl. No. 69. He has also stated that panel of list was exhausted in the year 1997 and thereafter no recruitment was made by the Management-Bank. He has denied the suggestion that at the time of registration of Union he was not working in the Bank and he has also denied the suggestion that on 02.08.2004 he was not working in the State Bank of India. He has also denied the suggestion that the Management-Bank had not terminated his services and other co-workers, so he had no right to invoke the provisions of Section 25-G & 25-H of the I.D. Act. He has also denied the suggestion that the Management-Bank had not recruited other workers after their termination.

15. W.W.-3 Shri Panchanan Maharana has deposed that he was working as temporary messenger under the Management-Bank of State Bank of India, Main Branch, Bhubaneswar from June, 1990 to 30.09.2004 and in this regard the Branch Manager, State Bank of India, Main Branch had issued a certificate of his temporary services from June, 1990 to January 1991. He has also deposed that on the basis of advertisement issued for regular engagement of daily wagers he had appeared in the interview on 04.01.1994 and his name was enlisted in the panel of regular absorption/appointment by the management of State Bank of India. He has also deposed that the management of State Bank of India had issued appointment letters to some of his co-workers and outsiders and subsequently on 31.03.1997 the Management rejected the panel and his services was not absorbed. He has further stated that all 125 number of selected workmen were waiting for absorption under the management of State Bank of India but all of them were retrenched vide order dated 30.09.2004. He has further deposed that in order to avoid working 240 days of work in a year, he was given sometime cash vouchers directly to avoid the documentation. He has also stated on 28.05.2004 State Bank of India Temporary 4th Grade Employees Union was registered. He has further deposed that the 125 workmen were disengaged without compliance of section 25-N of the I.D. Act as per letter dated 02.09.2003 of AGM SBI, Region-I Zonal Office, Bhubaneswar. He has also further deposed that after disengagement the workman resorted dharana on 4.10.2004 as a mark of protest and subsequently raised a dispute before the Asst. Labour Commissioner (Central). He has also deposed that against the regular vacancy, the 1st Party-Management without re-employing the 125 number of retrenched workmen as per their seniority has employed other workmen through service providers. He has also stated that after retirement, about fifteen Messengers were reappointed or re-engaged in State Bank of India, Main Branch, Bhubaneswar. He has proved documents which are marked as Ext.-7 to Ext.-21.

In the cross examination he has deposed that he has executed vakalatanama in favour of Sri M. Pratap, Advocate and he in the capacity of the Secretary of the Union is representing on behalf of all the workmen numbering 125. He has deposed that at present he is not working as Messenger under the State Bank of India, Main Branch, Bhubaneswar. He has also stated that the Union was registered on 28.05.2004. He has also stated that he has filed documents showing his engagement as daily wage workers and engagement of other members of the union as daily wage workers. He has denied the suggestion that after exhausting of the panel of selection made in the year 1997 he and other co-workmen were not engaged in the State Bank of India as daily wage workers. He has denied the suggestion that after non-selection of himself and other members of the Union they were not working in the management of State Bank of India. He has also denied the suggestion that the management of State Bank of India has not engaged other workers through out-sourcing agencies in their place.

16. M.W. No. 1 Shri Nalini Kumar Dash has deposed that he has been authorized by the Management to depose in this case. He has also deposed that the Management had employed temporary casual daily wage workers at the instance of All India State Bank of India Staff Federation. The 1st Party-Management had entered into some settlements on 17.11.1987, 16.07.1988, 27.10.1988 and 09.01.1991 for giving opportunity for permanent absorption of large number of temporary workers working in different branches of the Bank. He had also stated that as per the settlements three categories namely Category – A, B & C depending upon the number of days worked during given block period and they were given a chance for being permanently absorbed in the service of Bank. He has also deposed that on 30.07.1996 another settlement was arrived with the Federation in which it was agreed that all the panels prepared for temporary employees and daily wagers and casual employees would be kept alive up-to 31.03.1997 for filling up the existing vacancies as on 31.12.1994. He has also deposed that subsequently two interviews were conducted by the Bank and panels of temporary employees and casual/daily wagers workmen belonging to different categories like A, B & C were prepared by the Bank. He has also stated that a good number of people were absorbed permanently in the bank and subsequently both the panels were lapsed on 31.03.1997. He

has also stated that a large number of unsuccessful employees preferred writ petition in O.J.C. No. 2787/1997 before the Hon'ble High Court of Orissa and the same was dismissed upholding the validity of the above agreements entered with the Federation. He has further deposed that one Natabar Das filed S.L.P. before the Hon'ble Supreme Court vide No. CC-3082/1999 and the Hon'ble Supreme Court dismissed the same on 16.07.1999. He has also stated that the validity of the above agreements has attained its finality. He has also deposed that the grievance & claim of the SBI 4th Grade Temporary Employees Union is unwarranted and being an unrecognised Union cannot raise any claim in this regard. He has also deposed that the Management had not retrenched/terminated these 125 persons, so the demand of the Union under section 25-F and 25-H of the I.D. Act does not arise. He has also deposed that the Bank has not engaged any daily wagers in petty cash/vouchers basis. He has further deposed that the eligible candidates were called for interview in the year 1990 & 1993 and only selected candidates were given appointment in the Bank and as the panel of list lapsed on 31.03.1997, the remaining candidates could not be appointed in the Bank.

In the cross examination he has stated that the selected list with regard to interview conducted was published on the notice board of SB and the same was also published in the website of the SBI in which some of the 125 workmen under reference were selected. He has deposed that he cannot recall the entire list. He has also deposed that he cannot say how many persons were called for interview regarding the regular post. He has also deposed that interview was conducted for the post of Messenger in the SBI. He has also stated that the work done by the casual workers were subsequently discharged by the Service Provider which were engaged by the Bank for different work. He has also stated that he cannot say how many persons were engaged by the bank through Service Provider on the post of Messenger and Group-D post.

17. Now coming to documentary evidence of workmen it appears that Ext.-1 is the certificate of temporary service issued by the AGM, SBI, Bhubaneswar to W.W.-1 Sri Purna Chandra Biswal. Further, Ext.-3 shows the engagement of W.W.-1 Purna Chandra Biswal during the month of October, 2019 and August, 2020. All these documents show that the workman Shri Purna Chandra Biswal was engaged by the SBI, Bhubaneswar. Further Ext.-4, 5 & 6 show that the W.W.-2 Shri Sarat Kumar Pradhan, was also engaged by the Management Bank of State Bank of India. Moreover, Ext.-7, 11, 12, 13 & 14 show the engagement of W.W.-3 Panchanan Maharana in the State Bank of India, Bhubaneswar. Further, Ext.-15 is the certificate of registration of Trade Union, Ext.-16 is the representation of the workmen to the Management, Ext.-17 is the copy of the minutes of discussion, Ext.-18, 19 and 20 are the copies of the letters addressed to A.L.C(C) and Ext.-21 is the failure report sent to the Ministry.

18. In this case there is a categorical evidence of the sponsoring union/workmen that the Management of SBI in different branches had engaged regularly all the 125 workmen of this case. However, the Management has disputed this fact and has claimed that at one stage the Union had claimed 61 workmen and on the other hand had claimed of 112 workmen before the A.L.C(C) regarding the engagement of the workmen. However, Ext.-18 is a letter submitted to A.L.C.(C), Bhubaneswar by the General Secretary of the sponsoring union in which the names of the 125 workmen with their names, designation, year of joining & date of refusal of employment were mentioned so the contention regarding non-engagement of workmen under reference by the management Bank is not convincing.

19. At this stage it is relevant to mention here that W.W.-1 Purna Chandra Biswal, W.W.-2 Sarat Kumar Pradhan and W.W.-3 Panchanan Moharana in their evidence before the tribunal have categorically deposed that they and other workmen under this reference case had been engaged by the SBI in different branches for periods varies from 1991 to 2004. Further the workman witness No. 1 had produced certain documents i.e. Ext.-1, Ext.-2, Ext.-3 regarding his engagement in the Bank. Further the workman witness No. 2 has also produced certain documents like Ext.-4, Ext.-5 and Ext.-6 showing his engagement in the Bank. Further, the W.W.-3 Panchanan Moharana has produced Ext.-7, Ext.-11, Ext.-13 and Ext.-14 showing his engagement in the Bank for the different period. Moreover, W.W.-2 and W.W.-3 have deposed on behalf of all the concerned workmen regarding their engagement of their services by the Management of State Bank of India. Further, the evidence of W.W.-1, W.W.-2 and W.W.-3 on the point of engagement of all the workmen by the Management-Bank till 30.09.2004 has not been impeached in their cross examination.

20. However, the Management Witness No. 1 in his evidence has categorically stated that Management Bank had employed temporary/casual/daily wage workers in the subordinate cadre in its branches/offices at the instance of All India State Bank of India Staff Federation. Moreover, it is an admission on the part of the Management-Bank that some of the workmen under reference were called for interview and their names were found place in the lists of panels prepared by the Management-Bank

21. In view of the such fact the Tribunal finds and holds that all the 125 concerned workmen were engaged by the management Bank of SBI for the period mentioned in the Annexure-A of the schedule of reference.

22. It is also the evidence of concerned workmen that they were terminated/retrenched from the services with effect from 30.09.2004. However, the Management has denied the termination of these workmen from the engagement of the Management-Bank.

23. It is important to mention here that the W.W.-1 namely Sri Purna Chanda Biswal, W.W-2 Sarat Chandra Pradhan and W.W-3 Panchanan Moharana in their evidence have categorically deposed that their engagement was denied by the Management on 30.09.2004. Moreover, there is nothing in the cross examination to impeach their testimony on this point. Further Ext.-18 by which the General Secretary has raised the dispute before the A.L.C © has mentioned the date of termination of the engaged workmen as 30.09.2004.

24. However, the Management have taken a plea that as per the agreement arrived between the All India Bank Association Federation and the Bank-management in the year 1987, 1988, 1991 & 1996 regarding permanent absorption/regularization of messengers and temporary and casual workers engaged in the Bank, the Management-Bank after conducting interview of all the temporary employees prepared a panel for filling up the vacancies arising up-to 31.12.1994. It is also the plea of the Management-Bank that a wait list of the candidates found suitable for absorption in the descending order of their temporary services rendered in the Bank was prepared in which the disputants were wait-listed, but the said panel was expired on 31.03.1997 before their term came, so they could not be absorbed in the Bank.

25. Now it is an admitted position that many of the workmen, who were engaged under the Management of State Bank of India were absorbed permanently on the basis of interview after preparing panel of the names of those workmen found in the selection list, but a time limit was fixed for the panel i.e. 31.03.1997. Moreover, panel prepared by the Management Bank has attained finality as per judgement of the Hon'ble High Court of Orissa passed in OJC No. 2787/1997.

26. However W.W.-1, W.W.-2 and W.W.-3 have categorically stated in their evidence that they continued to work under the management-bank till 30.09.2004. It means that these workmen under reference whose names found place in the panel of list prepared by the Management-Bank, which lapsed on 31.03.1997 and when these workmen were not absorbed permanently, they continued to be in engagement in different branches of the Bank till 30.09.2004.

27. In view of such fact these workmen continued to discharge their duties in different branches of the Bank after lapse of panel on 31.03.1997 and these workmen were discharged/disengaged/terminated/retrrenched without any valid reason on 30.09.2004.

28. Now the question arises whether these retrrenched/terminated workmen were given opportunity for reinstatement or not?

In this regard there is categorical evidence of W.W.-1, W.W.-2 and W.W.-3 that in their place Management-Bank had employed other workmen and they had not been given opportunity of employment.

However, on the other hand it is a case of the Management-Bank that the espousing Union has not mentioned the name of any workmen employed in place of these workmen.

29. At this stage it is relevant to mention here that the Management Witness No. 1 Sri Nalini Kumar Das in his cross examination has stated that the work done by the casual workers were discharged by the Service Providers and the Service Provides were engaged by the Bank for different work. Now it is the admission on the part of the Management that the work of casual workers were subsequently discharged by the Service Providers which were engaged by the Bank but these workmen were not given opportunity to discharge their work which is a violation of Section 25-H of the Industrial Disputes Act.

30. At this stage it is proper to mention the provisions of Section 25-G and 25-H of the I.D. Act which are as follows:-

25-H. – Re-employment of retrrenched workmen – Where any workmen are retrrenched, and the employer proposes to take into his employ any persons, he shall, in such manner as may be prescribed, give an opportunity [to the retrrenched workmen who are citizens of India to offer themselves for re-employment, and such retrrenched workmen] who offer themselves for re-employment, shall have preference over other persons.

31. It is important to mention here that it is the case of the Management that none of the concerned workmen had completed 240 days of work in a calendar year. In this regard it is relevant to mention here that for attracting the applicability of section 25-H the workman is not required to prove that he had worked for a period of 240 days during twelve calendar months preceding the termination of his service or in continuous service within the meaning of Section 25-B.

32. In view of the above discussion tribunals finds and holds that the Management has violated the provisions of Section 25-H of the I.D. Act by not giving opportunities to the workmen to discharge their duties as temporary messengers and in their place service providers were engaged.

33. After considering all the facts and circumstances of this case the Tribunal finds and holds that the action of management of State Bank of India, Bhubaneswar in not considering the case of 125 workmen as per Section 25-H of the I.D. Act is not legal and justified. Hence, the Issue No. II is answered in favour of the 2nd party-Union.

ISSUE NO. I

34. With regard to Issue No. I there is no pleadings on behalf of the 1st Party-Management-bank about the maintainability of the reference. In view of the fact that separate reference has been made with regard to individual workmen under this reference. Moreover, the Management have not led any evidence on this point whereas the onus lies on the Management to prove that the case is not maintainable.

In view of such fact the issue No. I is decided in favour of the sponsoring Union.

ISSUE NO. III

35. Now it has already been decided by the Tribunal that all the 125 workmen under reference of this case had been disengaged/terminated/retrenched by the management of state Bank of India, Bhubaneswar unfairly and illegally on 30.09.2004 and the Bank-Management had employed service providers for discharging duties discharged by all the 125 workmen under the reference which is violation of Section 25-H of the I.D. Act.

36. Further, in this case twenty years have been elapsed after retrenchment/termination of these workmen, so many of the workmen would have crossed the age of superannuation or would have been approaching to the age of superannuation, so the Tribunal thinks it proper to award one time lump sum compensation to all the 125 workmen instead of their reinstatement under the Management of SBI, Bhubaneswar.

37. Hence the Management-Bank, State Bank of India, Bhubaneswar is directed to pay a sum of Rs. 1,00,000/- (Rupees one lakh) to each of the 125 concerned workmen as compensation within one month after publication of award and if the Management-Bank of State Bank of India fails to pay the compensation amount after one month of publication of award then all the 125 workmen are entitled for 6.5% of simple interest on the compensation amount.

38. This is Award of this Tribunal.

Dictated & Corrected by me

DINESH KUMAR SINGH, Presiding Officer

नई दिल्ली, 4 दिसम्बर, 2024

का.आ. 2237.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार नोर्थ वेस्ट रेलवे के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जयपुर के पंचाट (19/2018) प्रकाशित करती है।

[सं. एल - 41012/04/2018- आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 4th December, 2024

S.O. 2237.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.19/2018) of the *Cent. Govt. Indus. Tribunal-cum-Labour Court Jaipur* as shown in the Annexure, in the industrial dispute between the management of North West Railway their workmen.

[No. L-41012/04/2018- IR(B-I)]

SALONI, Dy. Director

अनुलग्नक

केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर

पीठासीन अधिकारी

राधा मोहन चतुर्वेदी

सी.जी.आई.टी. प्रकरण सं. 19/2018

Reference No. L-41012/04/2018-IR (B-I)

Dated: 10.07.2018

श्री हनुमान सिंह नायक पुत्र श्री घीसाजी, निवासी— गाँव झाडोल, वाया रामसर, तहसील—किशनगढ़, जिला— अजमेर, (राजस्थान)।

.....प्रार्थी

बनाम

- मुख्य कार्यशाला प्रबंधक, (लोको) नोर्थ वेस्ट रेलवे, अजमेर, (राजस्थान)

.....अप्रार्थीगण / विपक्षी

उपस्थित:-

प्रार्थी की तरफ से : कोई उपस्थित नहीं।

अप्रार्थी की तरफ से : कोई उपस्थित नहीं।

: अधिनिर्णय :

दिनांक 03.09.2024

- श्रम मंत्रालय भारत सरकार नई दिल्ली द्वारा दिनांक 10.07.2018 को औद्योगिक विवाद अधिनियम 1947 की धारा 10 (1) (डी) व 21 के अन्तर्गत प्रदत्त शक्तियों के अनुसरण में निम्नांकित औद्योगिक विवाद न्याय निर्णयन हेतु इस अधिकरण को संदर्भित किया गया :-

“Whether the action of Chief Workshop Manager (Loco), North West Railway, Ajmer in terminating the service of Shri Hanuman Singh Nayak S/o Shri Ghisaji, a casual labour in the year 2015 was legal and justified? If not, then to what relief the concerned workman is entitled to and from which date?”

“Whether the demand of the workman for regularization of this service is justified? If yes, then from which date. ”

- श्रम मंत्रालय द्वारा यह विवाद दिनांक 10.07.2018 को पंजीकृत डाक द्वारा इस अधिकरण के साथ साथ विवाद के पक्षकारों यथा प्रार्थी संगठन व विपक्षीगण को भी प्रेषित किया गया था। यह विवाद दिनांक 28.09.2018 को इस अधिकरण में प्राप्त हुआ—तथा पक्षकारों की उपसंज्ञाति व अभिवचनों की प्रतीक्षा में अब तक लंबित रहा है। आज दिनांक 03.09.2024 तक भी इस संदर्भित विवाद के अग्रसरण हेतु प्रार्थी ने अपने दावे का अभिकथन प्रस्तुत नहीं किया है। श्रम मंत्रालय द्वारा संदर्भित विवाद के संबंध में विवाद प्रस्तुत करने वाले पक्षकार (प्रार्थी) को यह निर्देश दिया गया है कि वह उक्त आदेश की प्राप्ति के 15 दिन की अवधि में अपने दावे का अभिकथन इस अधिकरण के समक्ष प्रस्तुत करे। चूंकि प्रार्थी को यह आदेश पंजीकृत डाक के माध्यम से प्रेषित किया गया है, यह उपधारित किया जाना नितांत न्यायोचित है कि— जिस प्रकार इस अधिकरण को संदर्भित आदेश 28.09.2018 को प्राप्त हो चुका है— प्रार्थी को भी यह आदेश प्राप्त हो चुका होगा।
- इस तथ्यात्मक परिदृश्य में इस अधिकरण का यह सुविचारित अधिमत है कि प्रार्थी व विपक्षीगण के मध्य संदर्भित विवाद के अग्रसरण हेतु प्रार्थी—पक्ष अनिच्छुक व उदासीन है। इसलिए दावे के अभिकथन के अभाव में प्रार्थी संदर्भित विवाद में कोई अनुतोष पाने का अधिकारी नहीं है।
- संदर्भित विवाद का निस्तारण इसी प्रकार किया जाता है।
- अधिनिर्णय की प्रतिलिपि औद्योगिक विवाद अधिनियम, 1947 की धारा 17 (1) के अनुसरण में प्रकाशनार्थ प्रेषित की जावें।

राधामोहन चतुर्वेदी, पीठासीन अधिकारी

नई दिल्ली, 9 दिसम्बर, 2024

का.आ. 2238.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड, के प्रबंधन, संबंध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जयपुर के पंचाट (49/2021) प्रकाशित करती है।

[सं. एल - 41012/20/2021- आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 9th December, 2024

S.O. 2238.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.49/2021) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Jaipur* as shown in the Annexure, in the industrial dispute between the management of Nuclear Power Corporation of India Limited their workmen.

[No. L-41012/20/2021- IR(B-I)]

SALONI, Dy. Director

अनुलग्नक**केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर**

पीठासीन अधिकारी

राधा मोहन चतुर्वेदी

सी.जी.आई.टी. प्रकरण सं. 49/2021

Reference No. L-42012/20/2021-IR (DU)**Dated: 16.08.2021**

महासचिव, राजस्थान अणुशक्ति परियोजना कर्मचारी संघ (इंटक) रावतभाटा, जिला— चित्तौड़, (राजस्थान)।

.....प्रार्थी

बनाम

1. प्रबंधतंत्र, केन्द्र निदेशक, न्यूक्लियर पावर कार्पोरेशन ऑफ इंडिया लिमिटेड, रावतभाटा राजस्थान साइट, इकाई 5 एवं 6, पोस्ट अणुशक्ति 323303 वाया कोटा जिला— चित्तौड़, (राजस्थान) 312001

.....अप्रार्थीगण/विपक्षी

उपस्थित:—

प्रार्थी की तरफ से : कोई उपस्थित नहीं।

अप्रार्थी की तरफ से : कोई उपस्थित नहीं।

: अधिनिर्णय :

दिनांक 04.09.2024

1. श्रम मंत्रालय भारत सरकार नई दिल्ली द्वारा दिनांक 16.08.2021 को औद्योगिक विवाद अधिनियम 1947 की धारा 10 (1) (डी) व 2A के अन्तर्गत प्रदत्त शक्तियों के अनुसरण में निम्नांकित औद्योगिक विवाद न्याय निर्णयन हेतु इस अधिकरण को संदर्भित किया गया :—

“क्या अप्रार्थी केन्द्र निदेशक, न्यूक्लियर पावर कार्पोरेशन ऑफ इंडिया लिमिटेड, रावतभाटा राजस्थान साइट, इकाई 5 एवं 6 पोस्ट अणुशक्ति 323303 वाया कोटा जिला चित्तौड़ (राजस्थान) के द्वारा श्री रूपलाल मेघवाल, वर्क असिस्टेंट-बी का दिनांक 04.05.2017 से 17.07.2017 तक की अवधि को “नो वर्क नो पे” के आदेश दिये जाने की कार्यवाही, जैसा कि राजस्थान अणुशक्ति परियोजना कर्मचारी संघ रावतभाटा के पत्रांक 17.10.2020 के द्वारा उठाया गया है, वैध एवं न्यायोचित है? यदि नहीं, तो प्रार्थी किस राहत का व कब से पाने का हकदार है?”

2. श्रम मंत्रालय द्वारा यह विवाद दिनांक 16.08.2021 को पंजीकृत डाक द्वारा इस अधिकरण के साथ साथ विवाद के पक्षकारों यथा प्रार्थी संगठन व विपक्षीगण को भी प्रेषित किया गया था। यह विवाद दिनांक 01.09.2021 को इस अधिकरण में प्राप्त हुआ—तथा पक्षकारों की उपसंज्ञाति व अभिवचनों की प्रतीक्षा में अब तक लंबित रहा है। आज दिनांक 04.09.2024 तक भी इस संदर्भित विवाद के अग्रसरण हेतु प्रार्थी ने अपने दावे का अभिकथन प्रस्तुत नहीं किया है। श्रम मंत्रालय द्वारा संदर्भित विवाद के संबंध में विवाद प्रस्तुत करने वाले पक्षकार (प्रार्थी) को यह निर्देश दिया गया है कि वह उक्त आदेश की प्राप्ति के 15 दिन की अवधि में अपने दावे का अभिकथन इस अधिकरण के समक्ष प्रस्तुत करे। चूँकि प्रार्थी को यह आदेश पंजीकृत डाक के माध्यम से प्रेषित किया गया है, यह उपधारित किया जाना नितान्त

न्यायोचित है कि— जिस प्रकार इस अधिकरण को संदर्भित आदेश 01.09.2021 को प्राप्त हो चुका है— प्रार्थी को भी यह आदेश प्राप्त हो चुका होगा।

3. इस तथ्यात्मक परिदृश्य में इस अधिकरण का यह सुविचारित अधिमत है कि प्रार्थी व विपक्षीगण के मध्य संदर्भित विवाद के अग्रसरण हेतु प्रार्थी—पक्ष अनिच्छुक व उदासीन है। इसलिए दावे के अभिकथन के अभाव में प्रार्थी संदर्भित विवाद में कोई अनुतोष पाने का अधिकारी नहीं है।
4. संदर्भित विवाद का निस्तारण इसी प्रकार किया जाता है।
5. अधिनिर्णय की प्रतिलिपि औद्योगिक विवाद अधिनियम, 1947 की धारा 17 (1) के अनुसरण में प्रकाशनार्थ प्रेषित की जावे।

राधामोहन चतुर्वेदी, पीठासीन अधिकारी

नई दिल्ली, 9 दिसम्बर, 2024

का.आ. 2239.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार आई सी आई सी आई बैंक लिं के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं II दिल्ली के पंचाट (57/2020) प्रकाशित करती है।

[सं. एल - 12025/01/2024- आई आर (बी-I)-243]

सलोनी, उप निदेशक

New Delhi, the 9th December, 2024

S.O. 2239.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.57/2020) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court No. - II Delhi* as shown in the Annexure, in the industrial dispute between the management of ICICI Bank Ltd. and their workmen.

[No. L-12025/01/2024- IR(B-I)-243]

SALONI, Dy. Director

ANNEXURE

BEFORE CENTRAL GOVT. INDUSTRIAL-TRIBUNAL CUM-LABOUR COURT NO-II, NEW DELHI

I.D. No. 57/2020

Smt. Pinki, W/o Sh. Anil Kumar,
Through – Delhi Karamchari Sangh,
W-4, Infront of Kalkaji Bus Depot,
Govindpuri, New Delhi-110019.

Versus

1. **ICICI Bank Ltd.**
S-26, 27, 28, Greenpark Extensions,
Vera Tower, New Delhi-110016.
2. **Care Facilities Management Services Pvt. Ltd.**
KHIL House, 2nd Floor, 70/C, Nehru Road,
Nest to the Orchid Hotel, Vile Parle (East),
Mumbai-400009

AWARD

This is the claim U/s 2A of the Industrial Disputes Act 1947 (herein after referred as an Act) filed by the workwoman after approaching the conciliation officer where efforts for conciliation have been failed. Workman in

her claim statement has stated that she was appointed by the management-2 on the post of House Keeping on 17.10.2016 and her last drawn wages was Rs. 14516/- Per month. Management-2 did not issue any appointment letter to the workman. M-2 had deputed to workman in the management-1. She used to work sincerely, honestly. Her service record was clean. M-2 used to take work twelve hours per day from her, but the management did not pay any overtime wages. Management-1 did not issue any appointment letter, leave book, casual leave, pay slip, HRA etc. She used to demand to the same from the management-1 and 2 to provide the above said facilities, but the management in spite of giving assurance did not pay any heed to her demand. On 25.01.2019 the management-2 had illegally terminated the workwoman from her services on the direction of management-1, without any rhyme or reason. Hence, he filed the present complaint.

Notice of this claim petition had been issued. Management-1 had not turned up. He was proceeded ex-parte vide order dated 4.05.2022. Management-2 filed the reply/written statement to the claim petition.

Management-2 has taken various preliminary objection stating that the claim of the claimant is ill-conceived, misconceived and untenable and is liable to be dismissed. Claim has been filed in order to extort money, however, he has admitted that claimant is the employee, but stated that the claimant did not adhere discipline and it has received various complaint of the workwoman. For this claimant was granted several opportunities to improve, but every time instead of mending her ways, she misused her position and committed further acts of misconduct. On 24.01.2019, claimant was advised to report at Jhandewalan Branch of ICICI Bank, but she failed to do so. She was sent whatsapp messages dated 27.01.2019, 30.01.2019 and 01.02.2019, but despite the same she neither reported for work, nor reply to the said messages. She remained absent unauthorisedly from duty from 25.01.2019. It is submitted that in as much as there is not termination of service because the claimant is having remained absent from duties w.e.f. 25.01.2019 left the job of her own.

After completion of the pleadings following issues have been framed vide order dated 03.08.2022 which are given below:-

1. Whether the proceedings is maintainable.
2. Whether there exist any employer and employee relationship between the management-1 and the claimant.
3. Whether the service of the claimant was terminated illegally or for the misconduct shows by the claimant.
4. To what other relief the claimant is entitled to.

In order to prove her claim, workwoman had examined herself as WW1.

In her affidavit of evidence, she had reiterated the averment made in the claim petition stating that she was appointed by the M-2 at the post of House Keeping on 17.10.2016 at the last drawn wages was Rs. 14,516/- per month. She was illegally terminated on 25.01.2019. She had relied upon seven documents i.e. Copy of complaint to ALC, copy of demand notice dated 26.02.2019, copy of complaint to RLC, copy of rejoinder, copy of pay slip, original failure report dated 30.12.2019, copy of I-card. Workwoman had not been cross-examined.

In order to prove his case, the claimant firstly had to prove that he is a workman, he worked in an industry, an industrial dispute arises and he was terminated for this reason. For this, section 2(S), 2 (J & K) and section 2 (OO) are required to be reproduced.

Section 2 (s) of the Industrial Disputes Act define the workman, it reads as under:

“Workman” means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of that dispute, or whose dismissal, discharge, or retrenchment has led to that dispute, but does not include any such person-

- (i) ***who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957); or***
- (ii) ***who is employed in the police service or as an officer or other employee of a prison; or***
- (iii) ***who is employed mainly in a managerial or administrative capacity; or***

- (iv) *who, being employed in a supervisory capacity, draws wages exceeding [ten thousand rupees] per mensem or exercises, either by the nature of the duties, attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.]*

Section 2 (j, k& oo) of the I.D Act define the industry and industrial disputes respectively. It reads as under:

- [(j)] “industry” means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen;*
- (k) *“industrial dispute” means any dispute or difference between employers and employers or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person;*
- (oo) *“retrenchment” means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include-*
- (a) *Voluntary retirement of the workman; or*
- (b) *Retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or*
- [(bb)] termination of the service of the workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein; or*
- (c) *termination of the service of a workman on the ground of continued ill-health;*

Now, come to the case in hand, claimant has claimed to have been working with Respondent-1 through respondent-2, the contractor **Care Facilities Management Services Pvt. Ltd** as House Keeping. She had led the evidence also to that effect that she had been working with the respondent-1 as House Keeping through respondent-2. In the evidence, she did not seek any relief against respondent-1. Her case is that her services have been terminated by respondent-2 from 25.01.2019. The above testimony of the workwoman remained unchallenged, un rebutted and uncontroverted, because the management-2 has not come for cross-examining the witness.

She had proved from the above said testimony that she is a workwoman and she worked with **Care Facilities Management Services Pvt. Ltd.** who used to offer services to the government institution, therefore, the respondent-2 is an industry. Her further contention is that her services has been terminated without any rhyme and reason, therefore, industrial disputes has been arisen.

Facts culled from the evidence, which the workwoman has led is that her services has been terminated. Respondent-2 who had appeared and filed the reply and taken the defence that workwoman remained absent from 25.01.2019 and he had given whatsapp messages to the workwoman dated 27.01.2019, 30.01.2019 and 01.02.2019 for joining the duty, but, she had not come. However, neither the management had cross-examined workwoman to this aspect nor led any evidence contrary to this effect.

From the above discussion, workwoman has proved that she had worked as workman with respondent-2 and her services have been terminated illegally as no notice pay or retrenchment compensation has either been offered or given. Not only she had proved that his petition is maintainable but also she had proved that her services have been terminated illegally, therefore, issued no.-1, 2 & 3 has been answered accordingly.

ISSUE No. 4: What relief, the claimant is entitled and be given.

Workwoman claims that she be given reinstatement of service with full back wages with respondent-2 since the date of his termination, she is jobless. She has been undergoing with financial crisis. The testimony of this witness is unchallenged as the management-1 had not cross-examined him that she has been doing job, therefore, there is no doubt left in the mind of the court/tribunal that the workman has got any job.

Admittedly, workman had worked for more than three years with management-2. Normally, when services of the workman were terminated, naturally, reinstatement with full back wages would follow. However, in recent past, there has been a shift in the legal position and long line of cases decided by the constitutional court that relief of reinstatement with full back wages is not automatic and maybe fully inappropriate where the workman worked only for a year or two. However, it depends upon case to case where the relief of reinstatement has to be given.

Here in the present case, workwoman at the time of filing the evidence was almost 44 years old, she had not given the list of any family member dependent upon him. So, this tribunal is not inclined to give the relief of reinstatement. It would be better if the lump sum amount is given to the workman in lieu of reinstatement. In these circumstances, amount of Rs. 2,00,000/- (Rupees Two Lakhs only) is an appropriate relief in lieu of his illegal termination. Respondent-2 is directed to pay the amount of Rs. 2,00,000/- (Rupees Two Lakhs only) to the workwoman. Award is accordingly passed. Copy of this award is sent to the appropriate government for notification as required U/s 17 of the I.D. Act. This file is consigned to record room.

ATUL KUMAR GARG, Presiding Officer

Date 20, June, 2024

नई दिल्ली, 10 दिसम्बर, 2024

का.आ. 2240.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबंधक, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जयपुर के पंचाट (12/2011) प्रकाशित करती है।

[सं. एल - 12012/81/2010- आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 10th December, 2024

S.O. 2240.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.12/2011) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Jaipur* as shown in the Annexure, in the industrial dispute between the management of Bank of Baroda and their workmen.

[No. L-12012/81/2010- IR(B-II)]

SALONI, Dy. Director

अनुलग्नक

केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर

पीठासीन अधिकारी

राधा मोहन चतुर्वेदी

सी.जी.आई.टी. प्रकरण सं. 12/2011

Reference No. L-12012/81/2010-IR(B-II)

Dated:11.05.2011

श्री रमेश चन्द्र रडाल पुत्र श्री मड़ियाजी रडाल, निवासी— नई आबादी, तहसील— बागीदौरा जिला— बांसवाडा, राजस्थान

.....प्रार्थी

बनाम

1. शाखा प्रबंधक, बैंक ऑफ बड़ोदा, पोस्ट— सज्जनगढ़, तहसील— कुशालगढ़, जिला— बांसवाडा (राजस्थान)
2. उप महाप्रबंधक, बैंक ऑफ बड़ोदा, क्षेत्रीय कार्यालय, उदयपुर (राजस्थान)

.....अप्रार्थी / विपक्षी

उपस्थित—

प्रार्थी की ओर से : कोई उपस्थित नहीं।

अप्रार्थी की ओर से : श्री रुपिन के. काला, अभिभाषक।

: अधिनियम :

दिनांक : 24.09.2024

1. श्रम एवं नियोजन मंत्रालय भारत सरकार नई दिल्ली द्वारा दिनांक 11.05.2011 को औद्योगिक विवाद अधिनियम 1947 (जिसे आगे मात्र अधिनियम कहा जायेगा) की धारा 10 (1) (डी) एवं 2A के अन्तर्गत प्रदत्त शक्तियों के अनुसरण में निम्नांकित औद्योगिक विवाद न्यायनिर्णयन हेतु इस अधिकरण को संदर्भित किया गया :—

“Whether the action of the management of Bank of Baroda in terminating the services of Sh. Ramesh Chandra Radal S/o Sh. Madiyaji Radal w.e.f. 01.11.2008, is legal and justified? What relief the workman is entitled and from which date?”

2. दिनांक 12.09.2011 को प्रार्थी की ओर से दावे का अभिकथन प्रस्तुत करते हुये यह कहा गया है कि प्रार्थी ने वर्ष 1999 से 2001 तक विपक्षी के अधीन सफाई कर्मी के रूप में अनियमित रूप से सेवाये दी। 4 अप्रैल, 2001 से 31.10.2008 तक निरंतर विपक्षी संख्या-1 की शाखा में सफाई कर्मी के रूप में कार्यरत रहा है। विपक्षीगण ने भी यह स्वीकार किया है कि प्रार्थी ने दिनांक 01.05.2001 से 15.09.2007 तक नियमित सेवाये दी। तत्पश्चात स्वेच्छा से कार्य छोड़ कर चला गया विपक्षीगण का यह कथन असत्य है। प्रार्थी को मौखिक आदेश से सेवापृथक कर दिया गया और प्रार्थी के स्थान पर एक अन्य कर्मचारी प्रशान्त को नियुक्त किया गया। उपमुख्य श्रम आयुक्त (केन्द्रीय) मुम्बई के समक्ष दिनांक 18.03.2008 को विपक्षी प्रबंधन और कामगारों के प्रतिनिधियों के मध्य अधिनियम की धारा 12 (3) के अंतर्गत त्रिपक्षीय समझौता सम्पन्न हुआ था। प्रार्थी भी उस समझौते की परिधि में आता है किंतु विपक्षीगण ने प्रार्थी को सेवा में बहाल न करके समझौते की अवहेलना की है। अतः वाद स्वीकार कर प्रार्थी को विगत वेतन, परिलाभों एवं सेवा में निरंतरता सहित पुनः पदस्थापित किया जावे।
3. विपक्षगण की ओर से दिनांक 21.08.2012 को वादोत्तर प्रस्तुत करते हुये यह कहा गया है कि विपक्षी बैंक एक संविधिक निकाय है जिसमें नियुक्ति हेतु निश्चित प्रक्रिया और नियम है। प्रार्थी को शाखा प्रबंधक द्वारा अपने स्तर पर जब-जब कार्य की अति आवश्यकता हुई दैनिक वेतन भोगी कर्मचारी के रूप में कार्य लिया गया। और कार्य के अनुरूप अपने स्तर पर ही शाखा द्वारा भुगतान किया गया। प्रार्थी 2 घन्टे के लिये साफ सफाई का कार्य करने के लिये आता था। प्रार्थी को स्थाई नियुक्ति प्राप्त करने का कोई अधिकार नहीं उत्पन्न नहीं होता। दिनांक 15.09.2007 को प्रार्थी अंतिम बार विपक्षी बैंक में कार्य करने हेतु उपस्थित हुआ उसके बाद कार्य पर आना बंद कर दिया। प्रार्थी ने अपनी सेवामुक्ति तिथि 01.11.2008 दर्शायी है जो मिथ्या है। क्योंकि दिनांक 15.09.2007 के बाद प्रार्थी स्वयं ही कार्य करने नहीं आया। ऐसा प्रतीत होता है कि त्रिपक्षीय समझौता दिनांक 18.03.2008 के अंतर्गत नियुक्ति पाने के उद्देश्य से गलत सेवा समाप्ति तिथि दर्शायी गई है। समझौते में यह उल्लेख है कि समझौते की तिथि के दिन उस व्यक्ति का विपक्षी की किसी शाखा में दैनिक वेतन भोगी/आकस्मिक कर्मचारी के रूप में कार्यरत होना आवश्यक है। चूंकि प्रार्थी दिनांक 15.09.2007 के बाद विपक्षी बैंक की किसी शाखा में कार्यरत नहीं रहा, इसलिये समझौते के प्रावधान प्रार्थी पर लागू नहीं है। अतः वाद निरस्त किया जावे।
4. दिनांक 23.01.2013 को प्रार्थी की ओर से विपक्षी के वादोत्तर का खण्डन करते हुये समझौते की शर्त संख्या-2 व 3 की ओर ध्यान आकृष्ट किया गया और वाद को स्वीकार करने का आग्रह किया गया।
5. प्रार्थी ने अपने साक्ष्य में स्वयं प्रार्थी रमेश चन्द्र रडाल को परीक्षित किया और कोई प्रलेख प्रदर्शित नहीं किया।
6. विपक्षी की ओर से उनके साक्ष्य में भगवान सहाय महावर, शाखा प्रबंधक को परीक्षित किया गया तथा प्रलेखीय साक्ष्य में प्रदर्श M-1 और प्रदर्श M-2 प्रलेख प्रदर्शित किये गये।
7. दिनांक 22.04.2015 को प्रार्थी की ओर से लिखित तर्क प्रस्तुत किये गये हैं जिनकी प्रति विपक्षी को उपलब्ध करवा दी गई। किंतु विपक्षी की ओर से कोई लिखित तर्क खण्डन स्वरूप प्रस्तुत नहीं किये गये वरन् दिनांक 04.09.2024 को अभिभाषक विपक्षी ने अपने मौखिक तर्क प्रस्तुत किये।
8. प्रार्थी ने अपने लिखित तर्कों में यह कहा है कि दिनांक 01.05.2001 से दिनांक 15.09.2007 तक प्रार्थी द्वारा विपक्षी के अधीन सेवा किया जाना और दिनांक 16.09.2007 से प्रशान्त नामक व्यक्ति का कार्य प्रारंभ करना प्रमाणित है। विपक्षी ने सोची समझी योजना के तहत दिनांक 15.09.2007 को प्रार्थी को हटाया और दूसरे ही दिन प्रशान्त नामक व्यक्ति को कार्य पर लगाया। प्रार्थी ने 6 1/2 वर्ष तक निरंतर कार्य करने के बाद यदि सेवा का परित्याग किया तो नियोजक ने उसके विरुद्ध कोई अनुशासनिक कार्यवाही क्यों नहीं की। सेवामुक्ति के पूर्व अधिनियम की धारा 25 F का पालन क्यों नहीं किया। सेवामुक्ति तिथि के पूर्व किसी भी एक वर्ष में 240 दिन का कार्य कर लेने पर श्रमिक को धारा 25 F के प्रावधानों का संरक्षण प्राप्त हो जाता है। इस प्रकार प्रार्थी ने दिनांक 04.04.2001 से 15.09.2007 तक अधिनियम की धारा 25 B के अंतर्गत निरंतर सेवा का तथ्य प्रमाणित किया है। अतः वाद स्वीकार किया जावे।
9. उन्होंने अपने लिखित तर्क के साथ निम्नांकित न्यायिक दृष्टांत प्रस्तुत किये।
 1. स्टेट ऑफ उत्तरांचल बनाम बलराम सिंह 2004 (101) FLR 1045
 2. जी.टी.आर.टी. सेन्टर बेंगलूर बनाम करियप्पा (मृतक) द्वारा विधिक प्रतिनिधि 2010 (124) FLR 268

3. हरजिन्दर सिंह बनाम पंजाब स्टेट वेयर हाउसिंग कोर्प. 2010 (124) *FLR* 700 (सुप्रीम कोर्ट)
4. यूनियन ऑफ इंडिया बनाम जयराज एन. शेटी 2003 (99) *FLR* 671 (बम्बई उच्च न्यायालय)
5. कुलदीप सिंह बनाम जी.एन.आई.डी.डी. एण्ड एफ. सेन्टर 2011 (128) *FLR* 121 (सुप्रीम कोर्ट)
6. अजाइब सिंह बनाम सरहिन्द कोपरेटिव मार्केटिंग कम प्रोसेसिंग सर्विस सुसाइटी लिमि. 1999 (82) *FLR* 137 (सुप्रीम कोर्ट)
7. महावीर सिंह बनाम यू.पी. स्टेट इलेक्ट्रीसिटी बोर्ड 1999 (82) *FLR* 169 (सुप्रीम कोर्ट)
8. सुप्रीन्टेंडेंट उम्मेद हॉस्पिटल जोधपुर बनाम जज इण्डस्ट्रीयल ट्रिब्यूनल 2011 (130) *FLR* 955 (राजस्थान)
9. सुरेश चन्द्र बनाम नगर पालिका राजसमंद 2011 (130) *FLR* 180 (राजस्थान)
10. स्टेट ऑफ बिहार बनाम गजाधर सिंह 2011 (130) *FLR* 132 (पटना)
10. अभिभाषक विपक्षी ने अपने तर्कों में मुख्यतः यह कहा है कि प्रार्थी की नियुक्ति किसी चयन प्रक्रिया के अंतर्गत विधिवत बैंक द्वारा नहीं की गई। प्रार्थी ने दिनांक 15.09.2007 के बाद विपक्षी बैंक की किसी भी शाखा में कार्य नहीं किया। प्रार्थी ने त्रिपक्षीय समझौते के प्रावधानों का मिथ्या आधारों पर लाभ उठाने के लिये उसकी सेवा समाप्ति तिथि 01.11.2008 वर्णित कर दी है जो किसी भी साक्ष्य से समर्थित नहीं है। जब प्रार्थी समझौते की तिथि 18.03.2008 को विपक्षी की सेवा में कार्यरत ही नहीं था जो कि समझौते को लागू करने की एक आवश्यक शर्त थी, तो प्रार्थी को समझौते के अधीन विचारित ही नहीं किया जा सकता था। प्रार्थी ने दिनांक 15.09.2007 से 31.10.2008 तक कार्य करने के संबंध में कोई प्रलेख प्रस्तुत नहीं किया है। किसी दूसरे व्यक्ति को प्रार्थी के उपरांत नियुक्त किये जाने का तथ्य भी प्रार्थी ने पुष्ट नहीं किया है। ऐसी स्थिति में प्रार्थी द्वारा प्रस्तुत साक्ष्य उसके पक्ष में सहायक नहीं है और न ही प्रस्तुत किये गये निर्णयों में पारित की गई विधि सहायक है। उनका यह भी तर्क है कि सेवा समाप्ति की तिथि जो कि रेफरेंस आदेश में 01.11.2008 है, के संबंध में ही अधिकरण को न्यायनिर्णयन करना है दिनांक 15.09.2007 को सेवा समाप्ति तिथि मानते हुये नहीं। अतः वाद निरस्त किया जावे।
11. मैंने प्रार्थी पक्ष के लिखित तर्कों एवं विपक्षी के मौखिक तर्कों एवं उपलब्ध साक्ष्य के संबंध में ध्यान पूर्वक मनन किया। इस विवाद में निम्नांकित विचारणीय बिन्दु उत्पन्न हुये हैं:-
 1. क्या प्रार्थी दिनांक 31.10.2008 तक विपक्षीगण के अधीन सफाई कर्मों के रूप में कार्यरत रहा तथा उसने सेवा समाप्ति के पूर्ववर्ती एक कलेण्डर वर्ष में 240 दिन से अधिक कार्य किया। इसलिये प्रार्थी को अधिनियम की धारा 25 F के प्रावधानों का अनुपालन किये बिना सेवामुक्त किया जाना अवैध है?
.....प्रार्थी
 2. क्या विपक्षीगण द्वारा प्रार्थी को सेवामुक्त करते समय प्रार्थी से कनिष्ठतर व्यक्ति को सेवा में रखते हुये प्रार्थी को वरीयता नहीं दी गई?
.....प्रार्थी
 3. क्या प्रार्थी त्रिपक्षीय समझौते दिनांक 18.03.2008 के प्रावधानों का लाभ प्राप्त करने का अधिकारी है?
.....प्रार्थी
 4. अनुतोष?
12. विचारणीय बिन्दुओं पर कमिक विनिश्चय इस प्रकार है:-
13. **विचारणीय बिन्दु संख्या-1**
14. प्रार्थी रमेश चन्द्र रडाल ने अपने शपथ पत्र में यह कहा है कि उसने अप्रैल, 2001 से 31.10.2008 तक विपक्षी संख्या-1 के अधीन सफाई कर्मचारी के पद पर अपनी सेवाये दी। प्रार्थी का आगामी कथन है कि तत्कालीन शाखा प्रबंधक श्री महेन्द्र प्रजापत ने दिनांक 01.11.2008 से मौखिक आदेश के द्वारा उसे सेवामुक्त कर दिया। प्रार्थी ने अपनी प्रतिपरीक्षा में यह कहा है कि 2001 से 2008 तक लगातार काम करने का कागज दाखिल किया है। उसने सूची में कागजात 1 लगायत 12 पेश किये हैं। लेकिन इसके तुरंत बाद ही प्रार्थी ने यह भी स्वीकार किया है कि उसने इन अभिलेखों को प्रदर्शित नहीं कराया है और शपथ पत्र में भी इन अभिलेखों का उल्लेख नहीं किया है। इस स्थिति में प्रार्थी ने 2001 से 2008 तक विपक्षी के अधीन कार्य करने के संबंध में जिन प्रलेखों को पत्रावली में सूची सहित प्रस्तुत किया है उन प्रलेखों को प्रार्थी ने न तो अपने सशपथ कथन (मुख्य परीक्षा) में समाहित किया और न ही उन प्रलेखों को साक्ष्य में प्रदर्शित किया।
15. मैंने पत्रावली में संलग्न इन सूचीबद्ध प्रलेखों की फोटो प्रतियों का न्यायहित में अवलोकन किया तो यह पाया कि इन प्रलेखों में रेफरेंस आदेश, रिक्त पदों की अधिसूचना तथा प्रार्थी के 2003 तक कार्य करने संबंधी बैंक का पत्र, प्रार्थी का आवेदन, वैयक्तिक विवरण और मई, 2007 तक प्रार्थी से संबंधित कतिपय भुगतान अभिलेख सम्मिलित हैं। निष्कर्ष यह है कि ये प्रलेख 31.10.2008 तक प्रार्थी के कार्यरत रहने के तथ्य को किसी प्रकार पुष्ट नहीं करते हैं। दिनांक

- 15.09.2007 तक प्रार्थी द्वारा कार्य किया जाना विपक्षी ने इस शर्त सहित स्वीकार किया है कि उसने समय-समय पर इस अवधि में कार्य किया। दिनांक 15.09.2007 के उपरांत प्रार्थी स्वयं द्वारा कार्य छोड़ कर चले जाने का तथ्य विपक्षी ने बलपूर्वक प्रस्तुत किया है। इस स्थिति में प्रार्थी से यह अपेक्षा किया जाना असंगत नहीं है कि वह दिनांक 15.09.2007 के उपरांत 31.10.2008 तक कार्य करने संबंधी प्रलेखीय प्रमाण प्रस्तुत करे। किंतु प्रार्थी प्रतिपरीक्षा में यह स्वीकार करता है कि उसने दिनांक 15.09.2007 से 31.10.2008 तक काम करने के संबंध में कोई अभिलेख पत्रावली पर पेश नहीं किया है। प्रार्थी ने यह भी कहा है कि दिनांक 15.09.2007 से 31.10.2008 के बीच अन्य व्यक्तियों के नाम की जगह उससे काम लिया जाता था। किंतु प्रथम तो प्रार्थी ने यह तथ्य अपने अभिवचनों में वर्णित नहीं किया और द्वितीयतः अपने मुख्य परीक्षण के शपथ पत्र में भी नहीं कहा। इस स्थिति में प्रार्थी का यह कथन किसी प्रकार स्वीकार्य एवं ग्राह्य नहीं है।
16. यहा यह उल्लेख किया जाना भी आवश्यक है कि भारत सरकार द्वारा संदर्भित विवाद में प्रार्थी की सेवा समाप्ति तिथि 01.11.2008 लिखी गई है। इस अधिकरण को रेफरेंस आदेश में वर्णित सेवा समाप्ति तिथि को 01.11.2008 के स्थान पर 15.09.2007 मानते हुये विवाद का न्यायनिर्णयन करने का क्षेत्राधिकार नहीं है। इस प्रकार प्रार्थी ने चाहे 15.09.2007 से पूर्व के वर्षों में 240 दिन से अधिक विपक्षी के अधीन कार्य किया हो, किंतु अधिनियम की धारा 25 B के अंतर्गत सेवा समाप्ति तिथि के पूर्ववर्ती एक वर्ष की अवधि में 240 दिन कार्य किया जाना प्रमाणित करने का दायित्व स्वयं प्रार्थी (कर्मकार) पर ही आरोपित है। इस सिद्धिभार को प्रार्थी अपने प्रलेखीय साक्ष्य से प्रमाणित नहीं कर सका है। विपक्षी साक्षी श्री भगवान सहाय महावर ने अपने परीक्षण में यह कहा है कि प्रार्थी ने अंतिम बार दिनांक 15.09.2007 को बैंक में कार्य किया और प्रार्थी का यह कथन गलत है कि प्रार्थी 31.10.2008 तक कार्य पर आया हो। इस साक्षी से की गई प्रतिपरीक्षा में भी साक्षी का यह कथन खण्डित नहीं किया जा सका है।
17. साक्ष्य की इस स्थिति में प्रार्थी की ओर से प्रस्तुत निर्णयों स्टेट ऑफ उत्तरांचल बनाम बलराम सिंह, जी.टी.आर.टी. सेन्टर बंगलोर बनाम करियप्पा (मृतक) द्वारा विधिक प्रतिनिधि व यूनिन ऑफ इंडिया बनाम जयराज एन. शेट्टी में माननीय उत्तरांचल, कर्नाटक एवं बम्बई उच्च न्यायालय द्वारा प्रतिपादित विधि जिसमें यह कहा गया है कि सेवामुक्ति के पूर्ववर्ती एक वर्ष में 240 दिन सेवारत रहने का तथ्य प्रमाणित करने का सिद्धिभार स्वयं कर्मकार पर है। कार्य दिवसों की गणना करते समय रवि एवं शनिवारीय अवकाशों को विचारित करना चाहिये आदि, तथ्यात्मक भिन्नता के कारण प्रार्थी के पक्ष में सहायक नहीं है। क्योंकि प्रार्थी दिनांक 15.09.2007 के उपरांत विपक्षी के अधीन कार्यरत रहने का तथ्य प्रमाणित ही नहीं कर सका है।
18. चूंकि प्रार्थी कथित सेवा समाप्ति की तिथि 31.10.2008 के पूर्ववर्ती एक वर्ष की अवधि में 240 दिन कार्य करने का तथ्य प्रमाणित ही नहीं कर सका है। इसलिये कथित सेवा समाप्ति के पूर्व अधिनियम की धारा 25 F के प्रावधानों का अनुपालन विपक्षी द्वारा किया जाना अपेक्षित नहीं रहता है। स्टेट ऑफ बिहार बनाम गजाधर सिंह के निर्णय में माननीय पटना उच्च न्यायालय द्वारा प्रतिपादित विधि तथ्यात्मक भिन्नता के कारण प्रार्थी के पक्ष में सहायक नहीं है। अतः यह बिन्दु प्रार्थी के विरुद्ध निर्णीत किया जाता है।
- 19. विचारणीय बिन्दु संख्या-2**
20. प्रार्थी ने इस संबंध में अपने शपथ पत्र में यह कहा है कि दिनांक 01.11.2008 से तत्कालीन शाखा प्रबंधक महेन्द्र प्रजापति ने उसे मौखिक आदेश द्वारा सेवा से पृथक कर दिया और प्रशान्त नामक व्यक्ति को कार्य पर लगा लिया। इस संबंध में यह विचारणीय है कि प्रथम तो प्रार्थी दिनांक 31.10.2008 तक कार्यरत रहने का तथ्य प्रमाणित नहीं कर सका है और दूसरे 01.11.2008 को तत्कालीन शाखा प्रबंधक द्वारा प्रार्थी को सेवा पृथक किये जाने का तथ्य किसी प्रलेखीय प्रमाण से पुष्ट नहीं है। प्रतिपरीक्षा में प्रार्थी ने कहा है कि उसने प्रशान्त का नियुक्ति पत्र नहीं देखा किंतु इस नाम का व्यक्ति बैंक में कार्य करता था। विपक्षी के साक्षी भगवान सहाय का कथन है कि तत्कालीन शाखा प्रबंधक महेन्द्र प्रजापति के विरुद्ध प्रार्थी ने जो आक्षेप लगाये हैं वह सरासर गलत है। प्रार्थी दिनांक 15.09.2007 के बाद स्वयं अपनी मर्जी से उपस्थित नहीं हुआ तो ऐसी स्थिति में साफ सफाई के कार्य की आवश्यकता होने पर कुछ समय के लिये प्रशान्त नाम के व्यक्ति को कार्य प्रदान किया गया और उसके बाद भी अन्य 9 व्यक्तियों ने आवश्यकता अनुरूप साफ सफाई का कार्य दैनिक वेतन भोगी के रूप में किया। इस साक्षी के कथन से यह स्पष्ट है कि प्रार्थी की सेवा समाप्ति तिथि 31.10.2008 होना प्रमाणित नहीं हुआ है। इसलिये दिनांक 15.09.2007 के बाद, जबकि प्रार्थी स्वयं कार्य छोड़कर चला गया, विपक्षीगण ने आवश्यकता अनुभव होने पर न केवल प्रशान्त नामक व्यक्ति से वरन् अन्य 9 व्यक्तियों से भी, (जिनका उल्लेख शपथ पत्र में है) सफाई का कार्य लिया।
21. इस तथ्यात्मक परिदृश्य में प्रार्थी की ओर से प्रस्तुत निर्णय हरजिन्दर सिंह बनाम पंजाब स्टेट वेयर हाउसिंग कोर्प. में माननीय उच्चतम न्यायालय द्वारा पारित विधि व सुप्रीम कोर्ट उम्मेद हॉस्पिटल जोधपुर बनाम जज इण्डस्ट्रीयल ट्रिब्यूनल में माननीय राजस्थान उच्च न्यायालय द्वारा पारित विधि प्रार्थी के पक्ष में तथ्यात्मक भिन्नता के कारण सहायक प्रतीत नहीं हुई है। इस विवेचन के उपरांत प्रार्थी यह प्रमाणित करने में विफल रहा है कि सेवा समाप्ति तिथि 01.11.2008 को प्रार्थी से कनिष्ठतर किसी व्यक्ति को विपक्षीगण ने नियोजन में रखा हो और प्रार्थी को वरीयता नहीं दी गई हो। प्रार्थी दिनांक 15.09.2007 के उपरांत स्वयं ही अनुपस्थित हो गया। अतः यह बिन्दु प्रार्थी के विरुद्ध विनिश्चित किया जाता है।

22. विचारणीय बिन्दु संख्या-3

23. इस संबंध में अभिभाषक विपक्षी के तर्क पर विचार करने के साथ-साथ मैंने प्रदर्श M-1, और प्रदर्श M-2, प्रार्थी द्वारा प्रस्तुत प्रार्थना पत्रों तथा त्रिपक्षीय समझौता दिनांक 18.03.2008 के सुसंगत प्रावधानों का परिशीलन किया।
24. प्रदर्श M-1, में प्रार्थी ने स्पष्ट कहा है कि उसने दिनांक 01.05.2001 से 31.03.2007 तक की अवधि में छः बार 240 दिन से अधिक कार्य कर निरंतर सेवा की शर्त को पूरा किया तथा 01.04.2007 से 15.09.2007 की अवधि में 120 दिन से अधिक कार्य किया। प्रदर्श M-2, प्रार्थना पत्र में प्रार्थी ने अपनी कार्य अवधि 01.05.2001 से 15.09.2007 स्पष्ट रूप से वर्णित की है। त्रिपक्षीय समझौता दिनांक 18.03.2008 में समझौते की शर्तों में निम्नानुसार उल्लेख किया गया है।

“दिनांक 01.03.1996 और 28.07.2007 के मध्य लगातार 12 महीनों में 240 दिन अथवा उससे अधिक दिनों तक कार्य कर चुके और अब भी कार्यरत आकस्मिक/अस्थायी चपरासी/स्वीपर, वित्तीय वर्ष 2009-10 के दौरान चरण-III में स्थाई होंगे” इस शर्त के अनुसार यद्यपि प्रार्थी 15.09.2007 तक कार्यरत था किंतु विपक्षी के अधीन दिनांक 18.03.2008 (समझौते की तिथि) को वह किसी भी रूप में कार्यरत नहीं था। इस लिये यह स्पष्ट है कि समझौते के तिथि को प्रार्थी के विपक्षी के अधीन कार्यरत न होने के कारण वह स्थाईकरण हेतु विचारित किये जाने योग्य कर्मकार नहीं था। इस निष्कर्ष के उपरांत प्रार्थी त्रिपक्षीय समझौता दिनांक 08.03.2008 के अंतर्गत विपक्षीगण से कोई लाभ प्राप्त करने का अधिकारी प्रमाणित नहीं होता है। अतः यह बिन्दु भी प्रार्थी के विरुद्ध निर्णीत किया जाता है।

25. अनुतोष:-

विचारणीय बिन्दु संख्या-1, 2 व 3, प्रार्थी के विरुद्ध विनिश्चित हुये हैं। प्रार्थी की ओर से कुलदीप सिंह बनाम जी.एन. आई.डी.डी. एण्ड एफ. सेन्टर, अजाइब सिंह बनाम सरहिन्द कोपरेटिव मार्केटिंग कम प्रोसेसिंग सर्विस सुसाइटी लिमि., तथा महावीर सिंह बनाम यू.पी. स्टेट इलेक्ट्रीसिटी बोर्ड, निर्णय प्रस्तुत किये गये हैं। इन निर्णयों में माननीय उच्चतम न्यायालय ने यह मार्गदर्शन दिया है कि परिसीमा अधिनियम के प्रावधान औद्योगिक विवाद अधिनियम के प्रावधानों के संबंध में लागू नहीं है और मात्र विलम्ब के आधार पर कर्मकार को अनुतोष से इंकार नहीं किया जा सकता। चूंकि प्रार्थी के विरुद्ध, सभी विचारणीय बिन्दु विनिश्चित हुये हैं, इसलिये प्रार्थी को कोई अनुतोष दिया जाना न्यायोचित नहीं है। और इन निर्णयों में पारित विधि प्रार्थी के पक्ष में सहायक नहीं है। निष्कर्ष रूप में प्रार्थी, विपक्षीगण से कोई अनुतोष पाने का अधिकारी नहीं है।

26. संदर्भित विवाद का निस्तारण इसी प्रकार किया जाता है।
27. अधिनिर्णय की प्रतिलिपि औद्योगिक विवाद अधिनियम, 1947 की धारा 17 (1) के अनुसरण में प्रकाशनार्थ प्रेषित की जावे।
28. न्यायालय द्वारा अधिनिर्णय आज दिनांक 24.09.2024 को सुनाया गया।

राधामोहन चतुर्वेदी, पीठासीन अधिकारी

नई दिल्ली, 10 दिसम्बर, 2024

का.आ. 2241.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब नैशानल बैंक के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय पटना के पंचाट (10 (C) of 2022) प्रकाशित करती है।

[सं. एल - 12011/09/2022- आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 10th December, 2024

S.O. 2241.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 10 (C) of 2022) of the *Indus.Tribunal-cum-Labour Court Patna* as shown in the Annexure, in the industrial dispute between the management of Punjab National Bank and their workmen.

[No. L-12011/09/2022- IR(B-II)]

SALONI, Dy. Director

ANNEXURE**Before The Presiding Officer, Industrial Tribunal, Patna.****Reference Case No.: 10 (C) of 2022**

Between the management of Circle Head, Punjab National Bank, Circle Office, Chanakya Place, 'R' Block, Patna (Bihar)-800001 And their workman Shri Zamil Ahmad, Temporary PTS, represented through the President, Bank Employees Federation, Bihar, Saboo Complex, 2nd Floor, Behind Republic Hotel, Exhibition Road, Patna (Bihar) - 800001.

For the management:- Sri Hemant Kumar Karn, Advocate.

For the workman:- Sri B. Prasad, President, Bank Employees Federation, Bihar.

Present:- **Manoj Shankar**
Presiding Officer,
Industrial Tribunal, Patna.

A W A R D**Patna, dt- 24th September, 2024.**

By the adjudication order no.- L-12011/09/2022-IR(B-II) New Delhi, dated- 13.01.2022 the Govt. of India Ministry of Labour New Delhi has referred under clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Dispute Act, 1947, (hereinafter to be referred to as “ the Act”) the following dispute between the management of Circle Head, Punjab National Bank, Circle Office, Chanakya Place, 'R' Block, Patna (Bihar)-800001 And their workman Shri Zamil Ahmad, Temporary PTS, represented through the President, Bank Employees Federation, Bihar, Saboo Complex, 2nd Floor, Behind Republic Hotel, Exhibition Road, Patna (Bihar) - 800001 for adjudication to this tribunal.

SCHEDULE

“Whether the action of the management of Punjab National Bank, Bihar in terminating the services of Shri Zamil Ahmad, Temporary Part-Time Sweeper, Kurji branch w.e.f. 01.02.2015 is just, proper and legal? if not, to what relief the workman concerned is entitled to?”

2. As per the statement of claim, the case of the workman Zamil Ahmad is that he worked at Punjab National Bank, Exhibition Road, Patna Branch as a part time sweeper on the basis of stop gap arrangement during the period 2008 to 2011. It is further asserted that Zamil Ahmad worked as a part time sweeper for more than 163 days as a temporary workman and his name was empanelled for temporary appointment. It is further asserted that the workman used to discharged his duties of sweeping the floor of the bank premises, cleaning courters, chairs, tables as well. It is further asserted that the Exhibition Road, Patna Branch of the bank furnished full details with Circle Head, Patna regarding the working days and payment of amount made to the workman. Thereafter, the workman was temporarily appointed as a part time sweeper at Kurji branch, Patna at 02.05.2013. It is further asserted that workman was appointed against a permanent vacant post of part time sweeper and he used to discharged the duties from 9.30 A.M to 12.30 P.M and here in the Kurji Branch too, workman used to discharged his part time sweeper work and sweeping and cleaning of the branch premises and dusting of chair and counters and he was paid pro-rata wages of a part time sweeper under 1/3rd scale wages of a full time subordinate staff. It is further asserted that the workman was being paid his monthly wages like other member of the staffs of the branch and he was also putting his attendance in attendance register. It is further asserted that during serving at Kurji Branch the management conducted an interview for filling of certain post of part time sweepers and workman also called upon to appear before the interview board. It is further asserted that temporary workman required to be confirmed in the services of the bank after expiry of a period of six months. As per rule Zamil Ahmad ought to be confirmed in the services of the bank from 01.11.2014. It is further asserted that workman had requested for his confirmation / regularisation to the bank authority but management bank threatened him for his termination. On this apprehension the workman caused Industrial Dispute through his sponsoring union on 20.02.2015 before the Assistant Labour Commissioner (C), Patna and a notice was sent to the management by the ALC (C), Patna on 24.02.2015. It is further asserted that after receiving the notice dt- 24.02.2015, management bank terminated the service of the workman on 01.03.2015 during the pendency of conciliation proceeding. It is further asserted that the conciliation officer held conciliation proceeding but even after 45 days of the conciliation proceeding the matter was not settled than workman filed Industrial Dispute case u/s-2A (1& 11) of the I.D. (Amendment) Act, 2010 before this tribunal that was numbered as Industrial Dispute Case No.- 07 (C) of 2015. It is further asserted that as per the order of the Hon'ble Patna High Court on 22.11.2017 in CWJC No.- 2053 of 2016 the workman withdraw his I.D. Case and further caused another dispute for the same grievances before the Regional Labour Commissioner (C) Patna which culminated in Reference Case and that is sent to this tribunal for adjudication by the appropriate Govt.. It is further asserted that the termination of the workman is covered u/s-2(oo) of the I.D. Act. Moreover, management bank violated the mandatory provision as contain in section 25(F) of the I.D. Act. It is also asserted that bank violated the Bipartite Settlement while not confirming the temporary workman after expiry of

six months of temporary service. It is further asserted that management violated u/s-25 (G) (H) of the I.D. Act and also resorted the unfair labour practice as per schedule-V read with section-25 (T) of the I.D. Act. Thus workman prays for the following relief (S);

- (i) Reinstatement in the services of the bank with back wages;
- (ii) Confirmation / regularisation in the service of the bank as a Part Time Sweeper under 1/3rd scale wages of a subordinate staff;
- (iii) Payment of cost of Rs. 10,000/- for contesting the dispute;
- (iv) Any other relief (S) as the tribunal deems fit and proper;

3. On the other hand management bank filed written statement and stated therein no employer-employee relationship between the bank and the Mr. Zamil Ahmad so called dispute raised by the Mr. Zamil Ahmad does not constitute an Industrial Dispute, as defined under the provisions of the Industrial Dispute Act, 1947. It is further asserted that applicant Zamil Ahmad was never appointed in terms of selection rules and no appointment letter was ever been issued by the bank (PNB). So there was no employer-employee relationship between the PNB and the applicant and as such no right of permanent employment in the bank can be conferred to the applicant. It is further asserted that service conditions of workman staff in the Banking Industry are Governed by the provisions of Sastry Award, Desai Award and various Bipartite Settlements and in terms of para 16.9 of the Bipartite Settlement, persons who are engaged to do casual work are excluded from the operation of the award. It is further asserted that Mr. Zamil Ahmad has never been appointed by the bank. He has rendered his service that was totally on requirement basis of the bank for which he was duly paid. It is further asserted that the claim as made by the union, Zamil Ahmad was working as permanent part time sweeper is not correct because there is well defined and set procedure of appointment of permanent part time sweeper in the bank and time and again, recruitment process is done for appointment in subordinate cadre as per guidelines. Mr. Zamil Ahmad raised his dispute before the ALC (C), Patna and the management on receiving the letter dt- 20.02.2015 of ALC(C), Patna has filed written statement before the ALC (C) Patna on 14.09.2015. The conciliation proceeding was in process and FOC was still not recorded but the workman without waiting for the final outcome of the proceeding filed I.D. Case u/s-2A of the I.D. Act. It is further asserted that the claim as filed by the union on behalf of the Zamil Ahmad regarding his working in the bank as a part time sweeper against the permanent post of part time sweeper is totally incorrect because Zamil Ahmad was just a casual worker in staff gap arrangement on intermittent basis for which he was duly paid. It is further asserted that the claim of the workman he was paid pro-data wages of part time sweeper under 1/3rd scale is denied by the management bank because Mr. Dayal was utilized on ad-hoc basis and he was paid accordingly. It is further asserted that the claim of the workman he was paid monthly salary is also incorrect because complainant was paid wages for the work he performed voluntarily and he not an employee of the bank. It is further asserted that Mr. Zamil Ahmad applied for the permanent post of part time sweeper in our bank but he did not fulfil the eligibility criteria which ultimately led to cancellation of his candidature. It is further asserted that bank has not violated any provision of the I.D. Act tried to shown by the workman side in its statement of claim. Since the complainant was not an employee of the bank and his services was taken as per requirement of the bank in which he was duly paid. So management bank has not resorted any unfair labour practice and thus there is no merit in the complaint application of the workman and is fit to be dismissed.

4. Having gone through the statement of claim of the workman side and written statement as filed by the management bank, the following issues are recasted for the adjudication:-

- (i) "Whether the grievances / dispute of the workman Zamil Ahmad come under the purview of Industrial Dispute?"
- (ii) "Whether the action of the management of Punjab National Bank, Bihar in terminating the services of Shri Zamil Ahmad, Temporary Part-Time Sweeper, Kurji branch w.e.f. 01.02.2015 is just, proper and legal? if not, to what relief the workman concerned is entitled to?"

5. In order to establish the claim of the workman, the workman side examined one witness namely Md. Zamil Ahamad(W.W-1) the workman himself. Besides, oral evidence, workman side filed some documents and got it marked Extsas :-

- (i) Ext.-W Letter dt- 22.02.2013 written by Zamil Ahmad to the Regional Manager, PNB, Patna Circle.
- (ii) Ext.-W/1 Photo copy of payment register fo conveyance charges.
- (iii) Ext.-W/1-1 Payment vouchers dt- 27.05.2013 (Conveyance Charges)
- (iv) Ext.-W/2 Voucher dt- 29.05.2013
- (v) Ext.-W/3 Payment voucher dt- 28.02.2015.

- (vi) Ext.-W/4 Photo copy of attendance registers from to W/4-12 March-2013 to April-2014.
- (vii) Ext.-W/5 Letter dt- 03.10.2013 information given to thana incharge fir administration written by the Branch Manager, Kurji.
- (viii) Ext.-W/6 Letter dt- 28.11.2014 written by Branch Manager regarding issuance of ATM authorising Zamil Ahmad..
- (ix) Ext.-W/7 Letter dt- 03.09.2014 written by Manager PNB, Kurji to the Chief Manager ZSC, Patna regarding stationary material authorising Zamil Ahmad.
- (x) Ext.-W/8 Letter dt-08.10.2014 call letter issued by Manager Kurji given to the Chief Manager, HRD, regarding pension working.
- (xi) Ext.-W/9 Letter dt- 03.11.2014 written by Chief Manager given to the incumbent Manager BO-Kurji regarding interview of Zamil Ahmad for the appointment of PTS in Patna Town.
- (xii) Ext.-W/10 SLC of Zamil Ahmad issued on 05.02.2000.
- (xiii) Ext.-W/10-1 Employment Exchange Card in the name of Md. Zamil Ahmad.
- (xiv) Ext.-W/10-2 Residential Certificate dt- 12.05.2012 in the name of Md. Zamil Ahmad issued by Govt. of Bihar.
- (xv) Ext.-W/10-3 Caste Certificate dt- 12.05.2012 in the name of Md. Zamil Ahmad issued by Govt. of Bihar.
- (xvi) Ext.-W/10-4 Call letter for appointment of PTS in Patna Town issued by Chief Manager dt- 03.11.2014 given to the Incumbent incharge BO: Kurji, Patna.
- (xvii) Ext.- W/11 Photo copy of salary bill regarding stop gap payment of Md. Zamil Ahmad.
- (xviii) Ext.-W/12 to Photo copy of Salary Bill regarding stop W/12/13 gap payment of Md. Zamil Ahmad.
- (xix) Ext.- W/13 On attendance register signature of Mr. Anil Kumar (M.W-2) i.e previous marked Ext.-W/4 series from July-2013 to April-2014.

6. On the other hand management side also examined two witnesses from its side who are namely Sunil Kumar (M.W-1) and Anil Kumar (M.W-2) and besides oral evidence, management side also filed some documents get its marked Extd. as:-

- (i) Ext.-M Photo copy of circular regarding temporary of PTS dt- 08.07.2009.
- (ii) Ext.-M/1 Photo copy of PAD Circular letter no.-02/2014 dt- 11.09.2014.
- (iii) Ext.-M/2 Photo copy of PAD Circular letter no.- 14 dt- 21.11.2015 regarding policy for recruitment of sub-staff including Armed Guards and full time sweeper / PTS.
- (iv) Ext.-M/3 Photo copy of letter dt- 06.11.2008 HRD Division Circular letter no-25/2008 regarding recruitment of sub-ordinate staff.
- (v) Ext.-M/4 Letter dt- 02.04.2011 PAD Circular letter no.- 04/2011 regarding eligibility criteria for recruitment of Part Time Employee in the subordinate cadre of the Bank.

7. Now first of all this tribunal scrutinizes the evidence of workman side first. W.W-1 Md. Zamil Ahmad is the workman himself. Who is stated in his evidence that he has worked at exhibition road branch of PNB from 2008 to 2011 thereafter, the branch of PNB opened at Kurji and he also worked in the Kurji Branch from May 2013 to March 2015 as a part time sweeper. This witness further stated that he used to open the bank gate at 8.00 A.M and thereafter he did cleaning work of the bank premises and during the working hours of the bank he did the work of hospitality and used to put registers, vouchers at the instruction of Branch Manager. This witness further stated that he has submitted an application dt- 20.02.2013 to Circle Head, PNB, Patna for his engagement at new branch of Kurji and the same is proved as Ext.-W. This witness further stated that he was also deputed for some work by the Kurji Branch Manager for which he received conveyance charge and he has filed the details of conveyance charge he receive from the Kurji Branch i.e from 13.07.2013 to 26.11.2014 i.e from page- 08 to 12 i.e marked as Ext.-W/1. On query by this tribunal this witness categorically admits that there is no signature and seal of the manager on the said documents that is marked as Ext.-W/1. This witness further stated that he has file only one voucher for conveyance payment i.e of dt- 27.05.2013 and the same is proved as Ext.-W/1-1. This witness further proved a vouchers of dt- 29.05.14 showing the payment of advanced salary of Rs. 2000/- marked as Ext.- W/2. This witness further proved a voucher dt- 28.02.2015 Combo Transfer voucher dt- 28.02.2015 showing the salary of month February 2015 total amount Rs. 4266.10 Ps. comprising Basic pay, D.A, HRA and the same is proved by him as Ext.- W/3. On query by this tribunal, this witness categorically stated that the payment of voucher of dt- 28.02.2015 was credited in his bank account and he can file the statement of the bank account. This witness further stated that he has worked at Kurji Branch from the year 2013 to 2015 and he was getting 1/3rd salary of a permanent sweeper comprising Basic pay, D.A, HRA. This witness further stated that he used to put his signature on attendance register and he has file the photo copy of the attendance register

from March-2013 to April—2014 i.e marked as Ext.- W/4 to W/4-12 respectively. This witness further proved the letter of Kurji Branch Manager dt- 03.10.2013 delivered to Patliputra PS for security guard of the branch i.e marked as Ext.- W/5. This witness further proved a letter of dt- 28.11.2014 issued by the Branch Manager authorising him to collect Rupay ATM card from section of Circle Office, and he same is marked as Ext.-W/6. This witness further stated that he was also deputed to bring stationary material from ZSC Patna by Kurji Branch Manager through letter dt- 03.09.2014 addressing to Chief Manager, ZSC, Patna and proved it as Ext.- W/7. This witness further proved the letter dt- 08.10.2014 issued by branch manager, kurjito Chief Manager, HR department, Circle Office, regarding his working details as on stop gap arrangement and the same is proved as Ext.-W/8. This witness further proved the interview letter for appointment of PTS of dt- 03.11.2014 issued of Chief Manager and the same is proved as Ext.- W/9. This witness further stated that on the basis of call letter, he appeared for interview along with SLC, zerox copy of employment exchange registration document, caste certificate and residence certificate and he has proved all the documents that is marked as Ext.- W/10 to W/10-4 respectively. This witness further stated that he did not get any appointment letter after the interview rather he was stopped from working from 01.03.2015 and no notice or notice pay was given to him by the bank. This witness further stated that he has claimed for reinstatement of the services of the bank and for regularisation for the post of PTS 1/3rd salary basis. This witness further proved entries of the statement of bank account showing his salary payment from the 25.01.2014 to 10.06.2015 i.e from page 27 to 32 the entry of his salary in the statement of account is under lined and is marked as Ext.- W/11. He also filed the copy of salary bills register i.e from May-2013 to September 2013 in which his salary details is mentioned bearing the signature of manager i.e from page 33 to 48 and that is marked as Ext.- W/12 to W/12-15 respectively.

In cross examination this witness categorically admitted in para-23 that he did the work of part time sweeper in the bank. He also admits that he did not get any appointment letter but he received the salary for his work and he received salary once in a month but he did not get leave like a permanent employee. This witness also admits in para-27 of the cross-examination the documents is filed before this tribunal, he received from the bank. This witness further stated in para-28 of the cross-examination that this is not fact that he did not qualify selection process and thereafter he filed his dispute out of excitement.

8. On the other hand management side examined two witnesses out of them M.W-1 Sunil Kumar is the director in PNB RSETI Gaya who examined before this tribunal on 11.05.2023. This witness stated in examination-in-chief that he was posted in Kurji Branch, PNB from March 2013 to 08.06.2013 at that time Kurji Branch was opened but there was no permanent peon. Md. Zamil Ahmad was engaged as a part time sweeper on stop gap arrangement basis, he was doing only cleaning work of the bank premises. This witness further proved the Circular of PNB dt- 08.07.2009 regarding engagement of temporary sweeper in the place of permanent / part time sweeper marked as Ext.-M. This witness further stated that the workman was also make his presence in the attendance register of the PNB and on the basis of his attendance the payment was made to the workman. On query by the tribunal this witness categorically stated 1/3rd payment of part time sweeper was given to the temporary sweeper. This witness also stated that workman was getting payment through voucher and this witness further authenticated the salary of bill register that is marked as Ext.-W/12 filed by the workman showing the payment of workman on stop gap arrangement. This witness also admits the Ext.-W/3 proved by the workman side shows the salary payment comprising Basic Pay, D.A, HRA. This witness also stated in examination-in-chief that he does not remember any letter of HR department for the workman Zamil Ahmad was received is to his branch or not and he further proved circular dt- 11.09.2014 issued from the Head Office for the arrangement of sweeper in the leave gap arrangement of part time sweeper / full time sweeper. He also proved the circular letter of dt- 21.09.2015 policy for recruitment of sub-staff including on Arm Guard and full time sweepers / part time sweeper i.e marked as Ext.- M/2.

In cross-examination this witness categorically stated in para-11 that Kurji branch was opened in May 2013 and he was deputed to see the Kurji branch also. However, he was posted at Mahabali Branch as Manager. This witness admits in para-22 of the cross-examination that the workman was sent to join Kurji branch on 02.05.2013 from HR department on staff gap arrangement basis. This witness categorically admits in para-15 that when the Kurji Branch was opened there was no permanent part time sweeper posted there. In para-16 of the cross-examination this witness categorically stated that this is not fact that the services of workman was taken by the bank comes under the purview of staff gap arrangement. On query by this tribunal this witness admits that the policy of staff gap arrangement is if permanent part time sweeper is not posted in any branch and if the bank takes the services of any workman for that post this is staff gap arrangement. This witness categorically admits in para-18 of the cross-examination workman the Zamil Ahmad comes under the purview of temporary workman. This witness further admits that as per circular of bank (Ext.-M) the temporary workman can discharged duties only for three month's. This witness further admits in para-22 of the cross-examination workman put his signature on the attendance register i.e marked as Ext.-W/4. This witness categorically stated in para-29 & 30 of the cross-examination the Ext.-M/2 is related to the recruitment but not for fresh recruitment and it is not related to regularisation.

9. M.W-2 Anil Kumar is the Chief Manager, PNB, Circle Office, 'R' Block, Patna who deposed before this tribunal on 13.06.2023. He stated in examination- in- chief that he knows the Zamil Ahmad. He was engaged in Kurji branch of PNB on the basis of stop gap arrangement and payment was made to him through voucher. Bank never issued any appointment letter to Zamil Ahmad. This witness also stated that during his tenure Zamil Ahmad never file

any petition for his regularisation. This witness proved the Circular of PNB dt- 06.11.2008 i.e related to the subordinate staff i.e marked as Ext.-M/3. He also proved the Circular of PNB dt0 02.04.2011 i.e related to it eligible criteria for recruitment of part time employee and the same is proved is Ext.-M/4.

In cross-examination this witness categorically admits in para-9 that he was posted at Kurji Branch of PNB from July 2013 to June-2014. This witness categorically stated in para-13 that he can't say before joining Kurji Branch Zamil Ahmad has worked at Exhibition Road Branch and does not know the Chief Manager, Exhibition Road has recommended Zamil Ahmad for his engagement to the Circle Office Head and in para-15 of the cross-examination this witness categorically stated that he does not know on opening of the Kurji Branch, then Circle Head has recommended Zamil Ahmad to be engaged on part time sweeper and this witness admits in para-16 that Zamil Ahmad was doing work of temporary worker during his tenure as he was doing in the tenure of his predecessor. In para-17 of the cross-examination this witness admits that from 02.05.2013 to year 2015 there was no permanent part time sweeper posted in the Kurji Branch. In para-19 of the cross-examination this witness categorically stated that Ext.-W/3 the appointment of workman Zamil Ahmad as per Circular comprising Basic pay, D.A, HRA of 1/3 payment. This witness categorically admits in para-20 of the cross-examination Ext.-W/4 series of the workman side is attendance register for the period of August 2013 to April-2014 over which he also put his signature at column -1 i.e marked as Ext.- W/13 to W/13-9. In para-21 of the cross-examination this witness admits that the Ext.-W/4 attendance sheet of the period of August 2013 to April-2014 that shows workman did performed his duty in each months excepting on 05.10.2013. In para-24 of the cross-examination this witness categorically admits that he does not know Raj Kumar, Ajit Kumar, N.K. Upadhaya who did duties as a temporary worker and they got regularisation in the services bank by of the order of this tribunal.

10. It is argued on behalf of the representative of the workman side that workman Zamil Ahmad was initially engaged at Exhibition Road Branch, PNB as a part time sweeper on the basis of stop gap arrangement where he discharged his duties for 163 days in between 2008 -2011. It is further argued that the Exhibition Road Branch has sent the details of the workman Zamil Ahmad regarding his working to the Circle Office, Patna from where Zamil Ahmad was sent to Kurji Branch on its opening to discharge the duties of part time sweeper against a permanent vacant post accordingly workman was started working from 02.05.2013. It is further argued that like a permanent part time sweeper, he used to put his signature in the attendance register that is produced before this tribunal marked as Ext.-W/4 series. It is also argued that the workman was paid by the bank at pro-rata basis under 1/3rd pay scale of a full time subordinate staff and accordingly workman was paid salary for each month comprising Basic pay, D.A, & HRA that is evident from Ext.-W/3 and Ext.-W/11 the details of salary entry in his pass book and Ext.-W/12 series the payment register of the Kurji Branch of bank. It is further argued that the workman has conducted interview for the filling of post of part time sweeper and workman was also called upon to appear in interview and accordingly workman appeared for interview on 11.11.2014 along with his details SLC, Caste Certificate, Employment Exchange registration card (document), residence certificate but he was not considered rather a fresh hand was selected. It is further argued that the workman has raised his grievance before the Assistant Labour Commissioner (C), Patna and when the dispute was not settled then he filed I.D. Case that was Numbered as.- 07(C) of 2015 but later on it was withdrawn on the basis of order of the Hon'ble High Court passed in CWJC No.-2053 of 2017 than he raised his grievance before the Regional Labour Commissioner (C), Patna then his matter was referred to this tribunal. Workman himself supported regarding his duties and payment salary given by the bank in his evidence and he also filed the connecting documents. Management witness also supported the contention of the workman in his evidence regarding his engagement in Kurji Branch as a part time sweeper as no permanent part time sweeper was posted. It is further argued that workman discharged his duties Kurji Branch from May 2013 to 28.02.2015 uninterruptedly and he has working for more than 240 days continuous in a calendar year as per section 25(B) of the I.D. Act but he was terminated from the work i.e covered u/s- 2(oo) of the I.D. Act and the request of the workman and grievance of the workman is not considered by the management bank this is a kind of unfair labour practice as per item no.-10, Schedule V of the I.D. Act read with section-25(T) of the I.D. Act. It is argued from the workman side earlier one Ajit Kumar was engaged in PNB as a part time sweeper and his services was regularised by the order of this tribunal held in Reference Case No.- 07(C) of 1987 and one Mintu Kumar who was engaged by the management bank as a temporary sub-staff but he was stopped from the working and then he raised dispute for reinstatement in service that was also allowed by this tribunal in Reference Case No.- 06(C) of 2005 and the order of this tribunal was upheld by the Hon'ble Supreme Court to in Civil Appeal No.- 1135 of 2019 the case of Zamil Ahmad is at par with the case of the above workman Anil Kumar and Mintu Kumar in whose favour the order was passed by this tribunal and so Zamil Ahmad is also entitled for his reinstatement in the services of the bank and further his service to be regularised as a part time sweeper. Accordingly workman is entitled for reinstatement and regularisation of his service.

11. On the other hand it is argued from the management side the claim of the workman Zamil Ahmad is not at all maintainable as there was no employer-employee relationship between the bank and Zamil Ahmad so his dispute does not constitute an Industrial Dispute. It is also argued that bank has its own recruitment policy and procedure for filling up permanent post in subordinate cadre staff and there is circular of taking service of a person on staff gap arrangement that is brought by management side before this tribunal marked as Ext.- M, M/3, M/4 and M/2. It is further argued that bank took the services of Zamil Ahmad purely on need based for which he was duly paid and he was never issued any appointment letter rather he worked in the bank leave gap arrangement. It is further argued that

the workman Zamil Ahmad also participated in the recruitment process of the appointment of part time sweeper but he could not found fit and when the post was filled bank did not take the services of Zamil Ahmad so there was no need to issue notice or notice pay to the Zamil Ahmad. The Zamil Ahmad has no right to raise the dispute for reinstatement as a part time sweeper when there is no vacant post in Patna circular. Bank has not violated any provision of the I.D. Act without a proper recruitment process no one can be appointed in the bank as a subordinate staff. It is also argued that workman did not produced any authentic evidence for his continuous service for more than 240 days. Moreover, management witness also thoroughly established in their evidence that the claim of the workman is not sustainable, accordingly the action of the management of PNB not taking the services of Zamil Ahmad from 01.02.2015 is just and proper.

12. Considering all the facts & materials available on the record and submissions as advanced on behalf of both the sides, This tribunal takes first issue for the adjudication. This tribunal finds that management side strongly contended in its written statement that since there is no employer-employee relationship between the bank and applicant Zamil Ahmad, so his dispute does not come under the purview of Industrial Dispute as defined in Industrial Dispute Act, 1947. However, workman side opposed his plea of the management and submitted that Zamil Ahmad was engaged as a part time sweeper against the permanent vacant post of part time sweeper in Kurji Branch of management bank and this is duly admitted and accepted by the management witnesses too in their evidence before this tribunal. It is also submitted by the workman side that in banking industry there are three kinds of workmen, permanent, part time and temporary workman and this is duly admitted by the management witness no.-1 in his evidence. It is also established by the oral and documentary evidence as placed by the workman side, Zamil Ahmad was getting salary of part time sweeper in his bank account on the prevailing rate of Basic Pay, D.A, HRA on pro-rata basic salary of a permanent part time sweeper and he discharged his duties first time at Exhibition Road Branch of management bank from 2008 to 2011 and 2nd time he discharged his duties as a part time sweeper from 02.05.2013 to February 2015 on opening of the Kurji Branch of management bank, Patna when there was no permanent part time sweeper posted Ext.-W the application of Zamil Ahmad for appointment of part time sweeper given to Divisional Head Office of management bank, Patna disclosing he has already discharged 163 days duties at Exhibition Road as staff gap worker and that application was received by Exhibition Road Branch and forwarded to the HRD, Accordingly the grievances of the workman Zamil Ahmad is certainly an Industrial Dispute when he was stopped from working by the Kurji Branch of the management bank in February 01.02.2015 and taking his grievances in the Industrial Dispute the appropriate Govt. referred the reference to this tribunal to adjudicate the issue. So this tribunal does not find any force in the contention of the management side. So the issue no.-1 is decided in favour of the workman.

13. Now so far as issue no.-2 is concerned that is core issue of this reference. In this context, workman Zamil Ahmad thoroughly supported this facts that he has discharged the duties as a part time sweeper initially at Exhibition Road Branch of management bank from 2008 to 2011 and during this period he was engaged 163 days by the management bank for duties of part time sweeper and thereafter Zamil Ahmad was referred to discharged the duties of a part time sweeper at Kurji Branch on its opening day on 02.05.2013 by the authority of the PNB there was no permanent part time sweeper posted there. This is duly supported by Zamil Ahmad through his oral and documentary evidence i.e evident from Ext.-W/1 to W/9 vide payment vouchers, attendance register of his working conveyance charges receive from the bank and deputation letter issue by the Branch Manager for Zamil Ahmad and vide Ext.-W/11 salary bill showing the payment to Zamil Ahmad by the bank and Ext.-W/12 to W/12-13 salary bill payment of Zamil Ahmad, Ext.-W/13 series signature of the then Branch Manager over the attendance register in which Zamil Ahmad was putting his presence on the attendance register and management bank also did not controvert about the working and salary of Zamil Ahmad rather M.W-1 admits all these contentions of the workman in his evidence too, As he categorically admits in his evidence that when a permanent part time sweeper or peon is not posted in branch and if the management take the services of any workmen against the permanent part time sweeper or peon this is a staff gap arrangement and that why management bank took the services of Zamil Ahmad as a part time sweeper against the permanent post of part time sweeper and paid him the actual 1/3rd salary payment of a permanent part time sweeper. This tribunal further finds that management bank consistently took this plea there was employer-employee relationship between the bank and Zamil Ahmad as Zamil Ahmad was neither given any appointment letter, nor he was appointed as a employee of bank so he can't claim for his reinstatement in the services of the bank. But considering all the materials as placed by the workman side through oral and documentary evidence, it is established fact that bank took the services of Zamil Ahmad in two stages once from 2008-2011 in Exhibition Road Branch and in that period bank took the services of Zamil Ahmad 163 days on staff gap arrangement basis and thereafter bank sent Zamil Ahmad to Kurji Branch on 02.05.2013 on its opening to discharge the duties of a part time sweeper as there was no permanent part time sweeper posted there. This tribunal further finds that this is all done by the HR Department of the management bank on the application given by Zamil Ahmad to the Divisional Head Office (Ext.-W) that was received by the Exhibition Road Branch and the same was sent to the HR Department, thereafter Zamil Ahmad was appointed at Kurji branch, of course no proper appointment letter was given to him. But the intention and demeanour of Kurji Branch of management bank was clear, he was taking the services of Zamil Ahmad as a part time sweeper against the permanent post of permanent part time sweeper that is duly establish by the workman side in his oral and documentary evidence and this is not controverted by the management side either oral and documentary

evidence. This tribunal further finds that bank has sent a call letter to Zamil Ahmad through Kurji Branch (Ext.-W/9) and (Ext.-W/10-4) to appear before the interview committee on 11.11.2014 at Circle Office, PNB along with educational qualification, employment exchange details, SLC, Caste Certificate and Zamil Ahmad was appeared accordingly before the interview committee along with all the certificate. At that time Zamil Ahmad was 8th passed and he was about 25 years of age as per SLC certificate (Ext.-W/10). But inspite of having all the eligibility and experience, why bank did not appoint Zamil Ahmad is great surprise because nothing has been proved by the management why the Zamil Ahmad was not taken into service as a permanent part time sweeper. Moreover, it is evident from the facts that there was no general advertisement for the appointment of the part time sweeper in that year. This tribunal further finds that Zamil Ahmad discharged duties of part time sweeper uninterruptedly from 02.05.2013 to 01.02.2015 i.e admitted by the management bank also this continuous service of Zamil Ahmad also touches the provision of section 25 (B) of the I.D. Act, where if a workman discharged his duties continuously for more than 240 days in a calendar year before the termination date, he is entitled for the regularisation of his service, so termination direction of the Kurji branch of management bank on 01.02.2015 is covered u/s-2 (oo) of the I.D. Act. Moreover, bank had reposed the trust in the working of Zamil Ahmad what he earlier did in the Exhibition Road branch from the year 2008 to 2011 that's why management bank took the services of Zamil Ahmad on the opening of the Kurji Branch on 02.05.2013 as a part time sweeper against the permanent vacant post of part time sweeper for which bank duly paid part time sweeper salary as per banking norms. But all of sudden bank stopped Zamil Ahmad from working on 01.02.2015 inspite of reposing trust in him and taking interaction with him on 11.11.2014 is certainly a kind of unfair labour practice played by the management bank when management bank stopped Zamil Ahmad from working in the Kurji Branch. This tribunal further finds that management bank has filed some circular about the arrangement of temporary sweeper in place of permanent / temporary sweeper of dt- 08.07.2009 that shows that temporary sweeper can be engaged not more than three months against the permanent vacant post and the bank shall fill the permanent post during the three months. But this circular has also not used by the management bank and took services the instant case of Zamil Ahmad beyond the circular norms. This tribunal further finds that management has filed HR department circular no.- 25/2008 regarding the recruitment of subordinate staff (Ext.-M/3) that is not for the post of part time sweeper rather this is for recruitment of staff in subordinate cadre. Management also filed circular dt- 02.04.2011 Ext.-M/4, the eligibility criteria of part time sweeper employee that shows that the candidates should not be passed 10th standard and he should be in between 18 to 24 years but there is relaxation of age three years to OBC candidates. When the management bank called the Zamil Ahmad for personnel interaction on 11.11.2014 he was 8th pass as per Ext.-M/4 and he was covered in age relaxation criteria as per circular Ext.-M/4 as Zamil Ahmad was OBC candidates as per his certificate of OBC (Ext. W/10-3) even then bank did not consider Zamil Ahmad for the appointment of part time sweeper and to regularise his service reasons best known to the management bank. In this instant case management bank did not place any cogent and authentic evidence in this regard for not appointing Zamil Ahmad as a part time sweeper. So this is the clear cut instance of unfair labour practice on the part of the management bank. Accordingly this tribunal finds and hold that action of the management bank (PNB) in terminating the services of Zamil Ahmad as part time sweeper of Kurji Branch from 01.02.2015 is neither just nor proper and legal.

14. Thus on scanning of all the materials available on the record as discussed above, this is the considered opinion of this tribunal that Zamil Ahmad has established his grievance through oral and documentary evidence thoroughly regarding the action of the management bank in terminating him from 01.02.2015 is neither just nor proper and legal. Accordingly, management bank (PNB) is directed to reinstate Zamil Ahmad in the services of bank as part time sweeper from 01.02.2015 with all back wages and further to regularise his service within two month's of publication of award accordingly. This award is effected after date of publication in gazette.

This is my award accordingly.

Dictated & Corrected by me.

24.09.2024

MANOJ SHANKAR, Presiding Officer